

# FEMINIST ENCOUNTERS

A JOURNAL  
OF CRITICAL STUDIES  
IN CULTURE AND POLITICS

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## CHIEF EDITOR'S INTRODUCTION

### **FEMINIST ENCOUNTERS: A JOURNAL OF CRITICAL STUDIES IN CULTURE AND POLITICS**

Founded in 2017, Feminist Encounters is a journal committed to argument and debate, in the tradition of historical feminist movements.

In the wake of the growing rise of the Right across the world, openly neo-fascist national sentiments, and rising conservative populism, we feminists all over the world are needing to remobilise our energies to protect and advance gender rights.

Feminist Encounters provides a forum for feminist theorists, scholars, and activists to communicate with each other, to better educate ourselves on international issues and thus promote more global understanding, and to enhance our critical tools for fighting for human rights.

Feminism is an intellectual apparatus, a political agenda, and a programme for social change. Critical analysis of how gender discourses produce cultural identities and social practices within diverse lived realities is key to this change. We need to think more sharply in order to strategise well: as the discourses of conservatism renew and invigorate themselves, so we as feminist scholars need to be refining our amazonic swords in order not just to respond effectively but also to innovate our own ideas for equality and social justice.

We are, of course, committed to intersectionality, a vital lens through which to see the contours of race/ethnicity, class, sexuality, age/ability, and explore how gendered scripts get lived, and filtered through these specificities of cultural organisation. Lived experience is never codified in terms of gender alone, and so our research will always be sensitive to the nexus of lived oppressions.

The journal has a large editorial board and journal team, consisting of over forty scholars in twenty countries. This is deliberately inclusive in order that we can promote diversity and engage with different concerns from across the world. Our aim is not to simply talk to ourselves, reconfirming our localised assumptions, but to generate feminist encounters across regions, even if this is sometimes uncomfortable. Globalisation has been a triumph of neoliberalism, but digital technologies have also flattened and reduced the distance between us in dramatic ways, so that now we can talk to each other with unanticipated ease.

This new access to each others' voices has also brought challenges to the way we think and do things, so that being a feminist today might be quite a different prospect to a person living in China, Iran, Norway, South Africa or the UK. Second Wave Feminism used the idea of 'sisterhood' to invoke solidarity between women. I've always rather liked Andrea Dworkin's claim, though, that: "Feminism is a political practice of fighting male supremacy in behalf of women as a class, including all the women you don't like, including all the women you don't want to be around, including all the women who used to be your best friends whom you don't want anything to do with anymore." The notion of sisterhood was challenged by Black feminists in the 1980s as being too conceptually white, thus bell hooks' trenchant critique that: "the idea of 'common oppression' was a false and corrupt platform disguising and mystifying the true nature of women's varied and complex social reality". In the 1990s and 2000s it has been fair to say that feminist theory and Feminist Studies since have engaged more intentionally and deliberately with intersectionality - though Jennifer Baumgardner did caution us that: "Sisterhood was never about everybody agreeing ....".

For our journal, sisterhood must expand and embrace our transgender allies and our men friends, reminding us that sibling relationships are rarely straightforward or inevitably blessed by golden moments of total affinity. Thus, **Feminist Encounters** welcomes the opportunity for new kinds of international discussions in the spirit of collaboration and critical intellectual enquiry. We hope for productive agreement and disagreement, and the shared struggle of fighting gender oppression, with our minds, hearts, and bodies, as the times demand.

**Sally R Munt, University of Sussex  
Founding Editor**

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## SPECIAL ISSUE ON REPEALING THE 8TH: IRISH REPRODUCTIVE ACTIVISM

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## Foreword

### **Special Issue on Repealing the 8th: Irish Reproductive Activism**

Ailbhe Smyth <sup>1\*</sup>

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#### **FOREWORD**

On 26 May 2018, as the results of the referendum to repeal the 8th amendment filtered in and it became clear that ‘Yes’ had won, what I felt most clearly was an immense sense of relief. Relief that this huge obstacle to reproductive freedom in Ireland was finally about to be removed from the Constitution. For women in Ireland the 8th had felt, for many years like a great big piece of immovable granite, and now it was to be shattered. Along with relief came exhaustion, which after many decades of campaigning for reproductive rights, was and remains among many feminist activists, deep seated. Three years later it is only now that many of those who campaigned for repeal can take stock of what it meant to be part of a thirty-five-year, multi-generational, hard-fought battle. For me personally, of all the feminist and LGBTQ battles I have been engaged with, the campaign to repeal the 8th amendment was by far the toughest. The toll it took on many feminists, over several generations, needs to be acknowledged.

It must also be acknowledged, that even as Repeal was a major feminist win, it was but one battle in the long war to gain full reproductive rights for women and pregnant people in Ireland, and indeed, globally. It also has to be said that even when we have a ‘win’, as in Ireland and Argentina (two majority Catholic countries) most recently, feminist laurels can never rest easy. Time and time again, even when they seem firmly established, abortion rights can be challenged, as is happening right now, in front of our very eyes, in the United States and Poland. This fundamental right of choice is something that patriarchal, religious and conservative powers will consistently seek to undermine. While the personal toll of activism is often unrecognised, one positive of the repeal victory, was that feminist energies could now be re-focussed on other pressing and overdue issues.

Over thirty-five years, Irish women’s activism had been engaged with many areas of inequality. Emerging slowly from a post-colonial, Catholic-dominated and deeply conservative State, women had to battle for rights within marriage, and the right to end marriage (that took two referendums to achieve), to change the laws on rape and domestic violence, to gain equal rights in employment, to fight for the right to self-determined sexuality, to gain broader access to contraceptives, to childcare, to real political participation and representation and a whole lot more. However, as all these battles were ongoing, we always had to return, again and again, to abortion and reproductive rights. There was no escape: the unresolved issue of abortion constantly demanded time and strategic energies, not least of which was dealing with profound structural inequalities between women, which had, and still have, to be fully and honestly recognised and addressed.

An aspect that can be overlooked however by both scholars and activists alike, is that in the decade or so following the insertion of the 8th into the constitution, Irish society was changing, and not least because of the impact of feminist work on attitudes, behaviours and the law. In 1992, a second referendum was held on abortion, and the right of women and pregnant people to information on full reproductive services abroad, and to travel to avail of these services was accepted by the electorate. Again in 2002, when there was a second attempt to remove suicidal ideation as grounds for an abortion, the electorate refused. Both of these referendums were, in their limited way, ‘wins’, indicating that abortion was moving away from the terrain of morality towards a more nuanced, health-centred perspective. As Ireland slowly and often quite painfully secularised, decriminalising homosexuality in 1993, permitting the sale of contraceptives in Ireland without prescription in 1993, and finally allowing divorce in 1996, space began to open up to discuss women’s rights, and the rights of minorities and marginalised groups. Reproductive rights remained a difficult subject, however, not least because the term

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'abortion' itself was scarcely ever uttered. It was called 'the substantive issue' or, in more everyday parlance, 'going to England'. It would take another two decades to end the circumlocutions and finally repeal the 8th.

Reflecting on the referendum in 2018, many thoughts occur, to be sure. One that has struck me quite forcibly over these past three years relates to what we might call the 'outside' or international view. While the victory was headlined in the media and celebrated by feminists and abortion rights activists around the world, we must be careful not to see the Irish victory as a ready-made template for campaigns elsewhere. While it is undoubtedly a campaign to be studied and learnt from—after all, we had had ample practice here in Ireland—abortion rights campaigns always need to be context-specific. What the Irish victory has done however is give hope to those campaigning elsewhere for access to abortion or resisting the roll back of existing abortion rights. Beyond the messages of hope and possibility, what can perhaps be learned from the decades-long battle in Ireland is that giving up is never an option even when all seems hopeless, as it so often appeared to be in Ireland over the thirty-five years of struggle. The defeat in 1983 could have destroyed the feminist movement, as could the loss in the divorce referendum three years later in 1986, but after each setback, feminists regrouped and kept on fighting.

Domestically, the win in 2018 demonstrated the strength of a grassroots, inter-generational, intersectional feminist-led campaign. It had evolved out of a (re)turn to feminist activism around the turn of the twenty-first century. From about 2008 Feminist Open Forum placed abortion firmly and centrally on its agenda, as did other new feminist groups, from Irish Feminist Network to anarcho-feminist groups to local women's organisations, and indeed to the largest feminist Non-Governmental Organisation (NGO), the National Women's Council of Ireland (NCWI). By 2011/2012 the Abortion Rights Network (ARC) had come together to campaign for the introduction of free, safe and legal abortion in Ireland, north and south. In 2013 the Coalition to Repeal the 8th Amendment began to build, starting with twelve organisations and growing to over 100 members by the time of the referendum. Coalition members came from a wide range of areas, including feminist, pro-choice and human rights organisations, trade unions, student unions, medical and health organisations, NGOs, anti-racist, migrant and community groups and many others to campaigns for repeal. By the second decade of the twenty first century reproductive rights, and moves to repeal the 8th, were firmly back on the agenda.

That it took the tragic death of a young pregnant woman, denied a necessary, lifesaving, abortion in an Irish hospital, to fully galvanise Irish society is appalling. The fact that this young woman, Savita Halappanavar, was told she could not have an abortion because she was in a Catholic country shocked and angered people. Her death, along with the ongoing revelations of the horrendous abuse meted out to women and girls in the Magdalen Laundries and Mother and Baby Homes seemed to magnify the deeply shameful way women had been treated for so long in this Catholic country. The sense of shame was very close to the emotional surface and people were mortified and embarrassed by the death of a young woman who had come to settle and work here, and to raise a family. It pulled the country up short and forced us to confront the reality of women's reproductive lives and the impact of our punitive laws. It was a moment for feminists to take the initiative, build a wide coalition, argue that the time had come to remove the 8th Amendment, so that abortion could be legalised at long last. Later, in March 2018, three big feminist-led membership organisations—the Coalition, the NWCI, and ARC—went on to form Together for Yes, the main driver of the Repeal referendum campaign.

Since the victory in May 2018, many analyses and reflections have been, and continue to be, offered on the campaign to repeal the 8th, its impact and legacies. It was grassroots and feminist-led, and remarkably focussed and coherent, although not without its underlying tensions. Some activists were not altogether satisfied with the research-based campaign messaging designed to win over the electorate and felt that some voices and stories were marginalised. While these were key areas of tension, ultimately campaigners fought side by side to make sure of victory. It is important now for feminist scholarship to look at the ways in which grassroots organisation collaborate and compromise in order to achieve rights. Repeal was a feminist win, but what type of feminist win? Who or what was included and who or what was not—and why—needs to be analysed? Reflections on both the campaign itself and the longer feminist activism which underpinned it are vital to understanding how such fundamental shifts and changes in Irish society have occurred. It is especially important to understand what these campaigns say about power structures in broader society and among feminist activists and about how other marginalised voices which emerged in the campaign are now being raised loud and clear. Feminist scholarship, such as we have here in this Special Issue, looks beyond the headlines to the nuances, the complications, and the difficult, uncomfortable questions of transformative campaigns, and provides vital analyses and reflections on them. Through these analyses we can also gain a more acute understanding of the myriad resistances of those in power, the very real inadequacy of subsequent legislation, and demonstrate a hyper-awareness of what more needs to be attended to. For now, it is perhaps a good thing to recognise that previously marginalised voices, those of migrant women, trans activists, Traveller/Mincéirí women, disabled women, women of colour, working class women and others are rightfully demanding a more inclusive, intersectional feminism in Ireland, and globally.

Repeal was undoubtedly a historic victory, and it has already made a difference to the lives of women and pregnant people seeking abortion in Ireland. But it did not, because it could not, resolve all the problems. In a very

real sense, removing the obstacle of the 8th was about clearing the way for the hard work we are now embarked on of ensuring that everyone who needs an abortion can access it here, in Ireland. More than that, it cleared the way for us to strategise and organise for better reproductive and maternal healthcare for all, and for the achievement of sexual and reproductive justice in the widest possible sense. *Go n'eiri linn!*

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Editorial

## Special Issue on Repealing the 8th: Irish Reproductive Activism

Shonagh Hill <sup>1\*</sup>, Sarah Hoover <sup>2</sup>, Mary McAuliffe <sup>3</sup>, Katherine Side <sup>4</sup>

**Published:** March 1, 2022

‘The State acknowledges the right to life of the unborn and, with due regard to the equal right to life of the mother, guarantees in its laws to respect, and, as far as practicable, by its laws to defend and vindicate that right’ (Article 40.3.3, Bunreacht na hÉireann/Constitution of Ireland).

The 8th Amendment to insert Article 40.3.3 (detailed above) into the Irish Constitution was passed by referendum on 7 September 1983 and was repealed by referendum on 25 May 2018. For Irish women the campaign to repeal the 8th began the day after the referendum to insert it in 1983 and framed much of feminist activism for the following thirty-five years. While, as legal scholars Máiréad Enright and Fiona de Londras write, at first glance, ‘the 8th Amendment may seem innocuous or merely aspirational’ it has ‘over time ... come to ground a near-absolute prohibition on abortion in Irish law’ (Enright and de Londras, 2018: 1). From 1983 to 2018, ‘the 8th,’ as it was commonly referred to, had a chilling effect on the right to choose, on obstetric care, and access to full reproductive rights for all in Ireland. Over those three and a half decades ‘people acting “on behalf of” the unborn have taken cases to disrupt attempts to access abortion care, while state actors have tried to vindicate the right to life of the ‘unborn’ by attempting to prevent people from travelling for abortion or imposing unwanted medical interventions on women’ (Enright and de Londras, 2018: 2-3). In May 2018, the headlines around the world, reflected, for the most part, the relief felt by feminists and their allies that the 8th would be no more. However, as feminist activist and journalist Una Mullally warned during the post referendum happiness that the 8th was to be removed from the Constitution: ‘any analysis that does not place at its centre the feminist, women-led movement is bereft’ (Mullally, *Irish Times*, 1 June 2018). Undoubtedly, she was right. Even as the results of the referendum count began to filter through to the waiting crowd on 26 May 2018, the then Taoiseach (Prime Minister), Leo Varadkar of the centre right party Fine Gael, described the poll as the culmination of a ‘quiet revolution’ that has taken place in Ireland over the past ten years. But this was no quiet revolution nor was it only a decade-long battle, nor had any of the centrist parties campaigned for repeal until the last few months before the referendum. This co-opting of the victory in 2018 by neoliberal centrists is what makes feminist scholarship on the Repeal campaigns, on reproductive rights and on abortion histories in Ireland and globally, so vital.

In 1983 the impact of the 8th Amendment was to copper-fasten the idea that Ireland was, and would remain forever, abortion free. For academic and activist Ursula Barry (1988: 59), the insertion of the 8th Amendment was part of the successful attempt by ‘right-wing Catholicism’ to formulate ‘a constitutional amendment asserting foetal rights and [to] look to the State to “vindicate” those rights’. In effect, she saw the battle to insert the 8th into the Irish Constitution as an ‘integral part of an international movement to undermine gains made by the women’s movement in the sixties and seventies’ where the victory for the right meant that Ireland ‘became the first country to enshrine the “right to life” of the foetus in law’. And as Barry (1988) clearly points out the consequences of the insertion of the 8th into the Constitution for pregnant people in Ireland have been severe. For Irish feminists the 1970s had been a long and difficult battle to gain some rights of access to employment and education, and access, albeit quite limited, to contraceptives. The 1980s, a time of recession, high unemployment and emigration became the decade when the politics of the body, particularly the reproductive body, became paramount. It was a decade when, as sociologist Inglis (2002: 7) has noted, ‘the economic tide, on the back of which sexual freedom and increased sexual equality had been sweeping through the country, began to recede rapidly’ and, as he argues, ‘the

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economic recession coincided with the emergence of a new strident catholic morality'. Not only did a deep recession blight the 1980s in Ireland, the continuing rise and power of the right seemed unstoppable.

Even as they celebrated their victory in the 1983 referendum, the proponents of the 8th amendment were determined not to stop there. Travel to the UK for terminations, by women in the Republic and Northern Ireland (access to abortion did not extend there) had been part of the Irish abortion story since the legalising of access to abortion by licenced medical practitioners there through the UK Abortion Act of 1967. Post 1983 access to information on UK clinics, how to travel there and support on taking this difficult, and oftentimes traumatic journey, were needed more than ever. Feminist activists recognised this, and through women's clinics such as Open Line Counselling and Well Woman Centres offered non-directive pregnancy counselling to those who needed it. The right was determined to shut down these limited avenues of choice, and in January 1987, Mr Justice Hamilton, President of the Irish High Court, granted the Society for Protection of the Unborn Child (SPUC), an injunction against both Open Line Counselling and the Dublin Well Woman Centre. Hamilton's ruling held that 'the right to life of the unborn was a "fundamental right" that superseded the right to information regarding abortion in Britain', and in 1988 the Irish Supreme Court upheld this ruling (Earner-Byrne and Urquhart, 2019: 82). In fact, the Supreme Court went further and made it a criminal offence for providers, i.e., the clinics, 'to give practical information to women seeking legal abortion abroad'. These rulings came at a time when the position of women in Irish society was at the centre of discussions, in particular the ideology of the threatening or deviant pregnant body. The womb was understood by the political right as an unsafe space and the State, and its legal and medical arms, were galvanised as the protectors of the unborn foetus.

### **THIRTY-FIVE YEARS OF CAMPAIGNING TO REMOVE THE 8TH**

In 1984, two events: the death of fifteen-year-old Ann Lovett at a grotto of the Virgin Mary in Granard, Co Longford, after giving birth to a baby boy (who also died), and the treatment by the Irish Gardaí (Police) of unmarried mother Joanne Hayes, in what became known as the 'Kerry Babies' case, 'shattered the complacency of a society that had rarely questioned its moral underpinnings and brought firmly into focus the schisms between the "old" and new Irelands' (Maguire, 2001: 336). Lovett's death, when it broke in the national newspapers in January 1984, generated a storm of controversy, an outpouring of grief and stories of similar hidden and unwanted pregnancies from Irish women. Letters from all over the country poured into radio station talk shows, particularly the popular daily talk show, the 'Gay Byrne Show', on RTÉ Radio One. The death of this pregnant teenage girl gave many the courage to talk about their unwanted and/or problematic pregnancies in a country where silence, stigma and shame still dominated when speaking of the reproductive body. Stories of unplanned, coercive, or hidden pregnancies, some the result of rape or incest, and the inability of women to get help or care in their own country, filled the airwaves. As the then Minister for Women's Affairs and Family Law, Nuala Fennell, said of the Lovett case, 'there is little indication that a caring society has emerged fully in the wake of the three-year pro-life debate we had just gone through' (Earner-Byrne and Urquhart, 2019: 80).

Within a short few months of Lovett's death, in April 1984, another story of pregnancy and death gripped the nation. On 14 April 1984, the body of a new-born baby boy was found on a beach near the town of Caherciveen in County Kerry, on the southwest coast of Ireland. The post-mortem found that the baby had been stabbed multiple times and a murder inquiry was launched which, as Inglis notes, 'involved one of the most comprehensive investigations into the morals and lifestyles of transgressive, especially single, women who were potentially, or known to be, sexually active' (Inglis, 2002: 8-9). Casting their net wide among 'suspect' women, the Gardaí soon decided that Joanne Hayes, who lived almost 50 miles away from Caherciveen, was a likely suspect. Unmarried, pregnant for the second time and rumoured to be having an affair with a married man, she fit the profile of what was considered the deviant Irish woman. By the time detectives called Hayes in for questioning she was no longer pregnant and, under duress, signed a confession that she had 'given birth to a baby boy ... and had stabbed the baby to death with a carving knife', thrown the body in the sea, which detectives then argued was the body which had washed up in Caherciveen. The next day a body of a new-born baby was discovered buried on the Hayes family farm, leaving Gardaí with two bodies and one suspect. Hayes then admitted that she had given birth at home to a stillborn baby and had, with her family, buried it secretly. Despite this, detectives spent months trying to connect Hayes to the Caherciveen baby, even when blood tests demonstrated that Hayes could not have been the mother of that baby<sup>1</sup>.

Charges were eventually dropped against Hayes, and no-one has ever been charged with the murder of the Caherciveen baby. While the treatment of Joanne Hayes during the investigation enraged many, it was her

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<sup>1</sup> In 2020, the Gardaí (through the Police Commissioner) and the State (through the Minister for Justice) formally apologised to Joanne Hayes and her family and awarded them substantial compensation. All findings of wrongdoing made against them by the 1985 Tribunal of Inquiry (the Lynch Tribunal) were accepted as unfounded and incorrect.

treatment at a public inquiry into the behaviour of the Gardaí during the ‘Kerry Babies’ investigation that galvanised feminists. The Tribunal of Inquiry into ‘The Kerry Babies Case’ or the Lynch Tribunal, as it’s commonly called, under Mr Justice Kevin Lynch, which opened on 7 January 1985, was established to inquire into the treatment of Hayes and family by Gardaí, the extreme questioning they endured in the police station and the withdrawal of any charges in relation to the death of a child. What was an inquiry into the behaviour of the Gardaí turned very quickly into a demonisation of Joanne Hayes. As part of the *Feminist Judgements* project, legal scholar Vicky Conway examined the treatment of Hayes at the inquiry. As Conway noted Hayes spent five days on the stand ‘the longest that anyone had spent on the stand in Ireland up to that point’. Over 200 questions, including many dealing with very private issues ‘including a previous miscarriage, the size of blood clots, previous sexual partners, her menstruation and her contraceptive practices’, were put to her, while others were questioned about Hayes, for instance, ‘a gynaecologist was questioned about the size of her uterus and her breasts’ (Conway in Enright et al., 2017: 199). The violently sexist questioning of Hayes brought an immediate response from women on the island of Ireland, north and south. Yellow flowers were sent to her at the courthouse as she faced more and more intrusive questioning over long days, while hundreds of women and men travelled from all parts of the island to stand in solidarity with her. As feminist and journalist Nell McCafferty said of the feminist outrage over the treatment of Hayes, ‘There [was] a sense among them of womanhood itself being on trial here, and the traumatic echoes of the amendment debate in the recurring phrases of the legal and medical practitioners about sex and wombs and babies done to death’ (McCafferty in Maguire, 2001: 351).

Even worse was to come, and the report of the Inquiry, when it was released, was a study in misogyny. It was, as Inglis noted, ‘the final stage in the process of shaming Joanne Hayes and her family’, when Justice Lynch found, contrary to all evidence, that Hayes had killed her child (Inglis, 2001: 508). These events, the death of Lovett, the Kerry Babies scandal and the Lynch Tribunal, did however, slowly open the space in which women could begin to demand that the State recognise the real lived impacts of the 8th on their lives. By 1987, feminists, in Ireland and among the Irish diaspora in the UK, began to organise in response to the Hamilton judgement, and defend the right of Irish clinics to provide information on travel and access to terminations outside of the State. That year the Women’s Information Network (WIN), an underground network of like-minded feminists, was set up and ‘sought to provide non-directive information to women facing crisis pregnancies’ (Earner-Byrne and Urquhart, 2019: 83). WIN linked with the UK organisation the Irish Women’s Abortion Support Group (IWASG) ‘to provide women with both information and practical help with travelling arrangements’ (Bacik, 2013: 386). By 1987 SPUC began to go after the student’s unions, the National Union of Students in Ireland (USI) and the unions in two Dublin universities, Trinity College Dublin and University College Dublin (UCD), who were providing information on travel in their student handbooks. Student officers had legal suits brought against them by SPUC, in the High Court and the Supreme Court, ‘prohibiting them from distributing this information’. In many ways this galvanised a generation of younger activists who chanted a contact phone number which provided information on travel on marches, printed it on t-shirts and wrote it on the doors of women’s bathrooms around the country. Through the late 1980s and into the 1990s, as Pauline Jackson wrote ‘these prolonged, tortuous and very expensive court cases invariably ended up in overseas tribunals in Luxembourg (EU) or Strasbourg (Council of Europe) calling into question Ireland’s obligations under international treaties to allow freedom of movement of persons across Europe and access to information on abortion services in other European countries’ (Jackson, 2015: 45).

In the 1990s the spectre of the 8th continued to loom large over reproductive bodies. The decade began with a win for the women of Ireland with the election of Mary Robinson, who had been a prominent lawyer in the anti-amendment campaign in 1983, as President of Ireland. It was a decade in which the power of the Catholic Church was challenged in ways it had not faced before. In a more open and slowly secularising society, it was dealt several self-inflicted blows by its secretive and weak responses to clerical child sex abuses scandals, as well as revelations of the abuses of women and children in coercive, carceral institutions that religious congregations had operated, namely Magdalene Laundries, Industrial Schools and Mother and Baby Homes. One of the biggest stories of the early 1990s directly concerned the 8th—this was the ‘X’ case. In 1992, a newspaper report broke that the High Court had granted an injunction against a fourteen-year-old rape victim (Miss ‘X’), preventing her from leaving Ireland, with her parents’ consent, to have an abortion in England. As Smyth (1998: 61) has argued it changed the narrative on abortion as ‘the degree of state control over women, through control over women’s bodies, became suddenly visible through [this] X case’. Feminists and allies took to the streets and as Earner-Byrne and Urquhart (2019: 85) note ‘the mood was one of rage and a sense of gender discrimination was central to it’. Subsequently the Irish Supreme Court overturned the High Court injunction in the X case, while in the European Court of Human Rights the appeal by Open Door Counselling of the Hamilton ruling was heard and Ireland was found to be in breach of the European Convention on Human Rights information rights. All of this paved the way for a referendum in 1992 in which the Government put forward three amendments to the Constitution—the right to travel outside the State for an abortion (the 13th Amendment), the right to obtain information on abortion services

outside the State (the 14th Amendment), both of which passed, and to roll back the X case judgement in order to remove suicide as a ground for abortion in Ireland, (the 12th Amendment) which failed.

After 1992 the centrality of the debate on reproductive rights for Irish women, among feminist activists, was no longer in doubt. The right, feeling the slipping of its dominance in these debates, resisted any loosening of the complete ban on abortion provided by the 8th, and the provision of access to information on travel and services abroad, every step of the way. In 1997 the Eastern Health Board obtained an order from the District Court to take a young teenage girl in its care, Miss 'C', who had become pregnant because of rape, to the UK for a termination. Her parents opposed this, but the District Court ruled that as Miss C was judged to be suicidal, she had a right to travel for a termination by virtue of the Supreme Court ruling on the X case. In 2002, another referendum was held which asked the Irish people to consider another amendment on abortion which would remove the threat of suicide as a ground for abortion and increase the penalties for helping a women have an abortion. Irish voters narrowly voted against this amendment. By 2002 the issue of women accessing information on and traveling outside of the State for abortions was considered settled, and the numbers travelling to the UK and elsewhere remained constant. However, within the State care and services for pregnant people still operated under the strictures of the 8th. In 1983 anti-amendment campaigners had said that the 8th, if accepted and enacted, would be damaging to women's health and lives, and so it proved to be.

As Bacik (2015: 113) has noted, after 2002, abortion slipped off the political agenda altogether for some years, although the courts continued to deal with the human impact of the 8th Amendment. In 2007, Miss 'D,' a seventeen-year-old, who was in care, and was pregnant with an anencephalic pregnancy, wished to travel for a termination but refused to say she was suicidal (which would have opened permission to travel). Her legal guardians, the Health Service Executive (HSE), asked Gardaí to arrest her if she attempted to travel, in the subsequent case in the High Court, it was ruled that a court injunction could not be imposed against her to prevent her travelling. Other cases were taken to the European Court of Human Rights, where in 2009, three Irish women, 'A,' 'B,' and 'C,' argued that 'Ireland had breached their human rights under Articles 2 (Right to Life), 3 (Prohibition of Torture), 8 (Right to Respect for Family and Private Life), and 14 (Prohibition on Discrimination) of the European Convention on Human Rights' (Quilty et al., 2015: 6). All the while the lived realities of women with unplanned pregnancies and no funds, or, in the case of asylum seeker or migrant women, no visas to travel, or those who lacked access to information on full reproductive rights, those with fatal foetal abnormalities which could not be terminated by their own health care team in their own country, those with pregnancies as a result of rape or incest, or simply those with pregnancies they did not wish to carry to term for personal reasons, were played out against the backdrop of the 8th.

In 2012 another story of pregnancy and death broke in Irish newspapers. On 20 October 2012, Savita Halappanavar, a young Indian dentist living in the west of Ireland, sought treatment in University Hospital Galway; she was 17 weeks pregnant and experiencing back and pelvic pain. At the hospital she was told she was miscarrying. What unfolded over the following week was a tragedy wrought by the cruelty of the 8th Amendment and its pitting of the mother's life against that of the foetus. Savita's condition took a turn for the worse as she experienced a spontaneous rupture of the membranes. She was extremely unwell at this stage, and she and her husband asked about a termination of the pregnancy. An abdominal scan had confirmed the presence of a foetal heartbeat and the consultant informed them that the legal situation in Ireland prevented terminating the pregnancy at that time. Savita's health continued to deteriorate, and she was showing signs of sepsis. While the consultants in charge of her care were clearly hampered by the legalities of the 8th Amendment, this was compounded by the lapses in the standard of care she received, with inadequate monitoring, and delays in examinations and test results. Halappanavar's life was at risk and the decision was made to deliver the foetus regardless of whether there was a heartbeat: nonetheless, pre-surgery scans showed the foetus had died. Savita spontaneously delivered a female foetus, whom the couple named Prasa (Evers, *Dictionary of Irish Biography*). Dr Peter Boylan, former Master of the National Maternity Hospital, stated: 'The real problem was the inability to terminate the pregnancy prior to Ms Halappanavar developing a real and substantial risk of death. By that time, it was, effectively, too late to save her life' (Holland, 2013: 212). Savita was transferred to intensive care where, at the age of 31, she died of a septic miscarriage on the 28 October.

Savita's husband Praveen returned to India to bury his wife. Whilst there, friends in Galway assisted him to approach the *Irish Times*. On 14 November 2012 journalist Kitty Holland broke the story of Savita's death, which met with a huge outpouring of public anger and sadness. Across Ireland there was an immediate response with candlelit vigils and protests: Savita's story gave a face to decades of repressed experiences. Indeed, the outcry was global with the story carried by international news outlets. Holland suggests that 'If she [Savita] had been Irish, I believe the international reaction would have been more muted. The domestic sense of shame would not have been so great.' (*The Guardian*, 17 Nov 2012). Savita's experiences exposed the impracticability of ensuring safe reproductive care under the 8th Amendment and thus the dangers of being a pregnant person in Ireland. Shame had served to silence women's abortion experiences but once Savita's story broke, there was no going back. The



government faced pressure to address Ireland's abortion laws, resulting in the Protection of Life During Pregnancy Act (2013) which permitted abortion where the life of the pregnant woman was at risk. With an unworkable distinction between physical and mental health, and criminal penalties of up to 14 years in prison for doctors and women who had illegal abortions, it fell woefully short of the change needed. Galvanised by the response to Savita's death, activists across generations mobilised to fight for nothing less than Repeal of the 8th Amendment.

A new phase of direct action was gathering intensity and it was generated through feminist grassroots activism. Abortion Rights Campaign (ARC), grassroots, women led, feminist, all-volunteer group, was established in 2012 to address the lack of free, safe and legal abortion. Pregnant people had been using abortion pills, made more easily available through the internet (see Women on Web), or were forced to travel to UK clinics for abortion services. However, these were not options for all women, due to financial and/or travel restrictions. They provided 'an Irish solution to an Irish problem' and broader support to recognise the inadequacy of this was amassing. The first annual March for Choice took place that year. Social media was employed to gather supporters and #RepealThe8th was started on Twitter. Following the death of Savita, the necessity of developing a broad based, critical mass of groups and organisations was realised with the foundation of the Coalition to Repeal the 8th Amendment in 2013, which comprised activists, political organisations and Non-Governmental Organizations (NGOs). A substantial number of abortion activists campaigned for a yes vote in the Marriage Equality referendum on 22 May 2015. With 62.07% of voters supporting the legalisation of same-sex marriage, Ireland made clear the demand to realise a more equitable and progressive future for the country. Pro-choice campaigners were bolstered by the result and, crucially, many gained valuable campaign experience. In March 2017, tens of thousands of people took part in Strike4Repeal on 8 March, International Women's Day. The strike demanded the government call a referendum to repeal the 8th Amendment. Grassroots activism and people out on the streets were putting the political establishment under serious pressure; they could no longer ignore the widespread support for these demands. The Citizens' Assembly, a group of 99 citizens, considered changes to abortion legislation from November 2016 to June 2017, finally recommending significant and far-reaching changes. In June 2017, the Taoiseach announced the government's intention to hold a referendum on abortion.

January 2018 saw the formation of the Together for Yes, a broad-based civil society campaign which was led by three organisations: The National Women's Council of Ireland (NWC), the Coalition to Repeal the 8th Amendment (Coalition), and the Abortion Rights Campaign (ARC). On the ground, they were supported by large numbers of volunteers: some with canvassing experience during Yes Equality, while others were campaigning for the first time. Organisations like Doctors for Choice and Lawyers for Choice provided expert advice that proved influential in social media and face-to-face canvassing, and informed messaging in general. The campaign strategy cohered around building an inclusive alliance, as reflected in the name Together for Yes, and through moderate messaging. Emphasis was placed on a pregnant person's right to make their own decisions with regards to abortion, and this was situated firmly within healthcare. Sinéad Kennedy's article in this issue outlines how the messaging was shaped by research that confirmed the electorate trusted most two groups of people to talk about abortion: doctors and women who'd had an abortion. Groups including Termination for Medical Reasons Ireland (TFMRI), a group made up of parents who received a diagnosis of a fatal or severe foetal anomaly during pregnancy, were essential to the collective sharing of women's abortion experiences. Social media played a vital role, including the *In Her Shoes* Facebook page which amassed a huge following. The promotion of social change through cultural means led to a range of work across art forms which addressed Ireland's reproductive laws. Artists Cecily Brennan, Alice Maher, Eithne Jordan, and Paula Meehan set up a collective in 2015: The Artists' Campaign to Repeal the 8th Amendment. Many informal and temporary groups also formed to support canvassers, speakers, and other activists. Because Ireland's laws require voters to be present in their polling area to cast a ballot, some activism took the form of financial and logistic support for the Irish abroad who needed help to return through the #HomeToVote movement. Similarly, residents in Ireland without Irish citizenship could not vote in the referendum, and so appealed through #BeMyYes. Though there had been speculation that rural areas would vote against repeal, twenty-five of the twenty-six counties in the Republic voted for reform. After the 25 May votes were counted, 66.4% were for repeal and the next stage of abortion rights in Ireland began.

The mobilisation of feminist grassroots support for Repeal was across the island of Ireland and so following the referendum outcome, activists rallied behind 'The North is Next'. Abortion was decriminalised in Northern Ireland on 21 October 2019, although this was not the result of a victorious campaign: it happened due to the failure of the Northern Ireland Executive to form. The Executive had collapsed in January 2017 (attributed to the Renewable Heat Incentive scandal) and as a result, the Executive were given a deadline to re-form by 21 October 2019. Failure to do so would result in the extension of the powers of the Secretary of State for Northern Ireland, crucially with conditions including the liberalisation of abortion law and legalisation of same-sex marriage. The Executive did not re-form by the deadline and both issues were passed into law. The legal framework was passed in Westminster in March 2020, but full abortion services are still not available in Northern Ireland. The Northern

Ireland Human Rights Commission has started legal proceedings against the Executive for failing to commission and fund abortion care. The need to travel from the North to England to access abortion services persists.

Subsequent to the referendum result in the Republic, new legislation was enacted on 1 January 2019. Laws in Ireland retain its criminal condition but specify the circumstances under which abortion is legally permissible. The legislation allows access to abortion up to a 12-week period from the first day of a pregnant person's last missed menstrual cycle without account to reason. Information about abortion remains unclear and many restrictions apply. The government refuses to use the word abortion in its information, policy and, legislation and those seeking access must decipher government euphemisms about unplanned pregnancy, unintended pregnancy, crisis pregnancy, and termination of pregnancy. Restrictions include a mandatory medically unnecessary three-day waiting period, permissible unregistered conscientious objection, a mandatory reporting requirement to the Department of Health, and support as a matter of criminal law. It remains a criminal offense to assist a person to obtain an abortion outside of these terms, though the law no longer criminalises the pregnant person. Abortions at later gestation dates are available, with the agreement of two medical practitioners, in cases of risk to health or life, or severe foetal anomaly. At later gestation dates, there is no provision in the legislation for those requiring permission to travel and return to Ireland, such as asylum seekers, undocumented workers, and international students (Side, 2020: 18). Changes to the legislation, however, are only the beginning. Many obstacles remain to those seeking abortion care including a lack of information about legally available abortion care, a lack of medical professionals in the area willing to perform abortions, lack of equipment able to verify that a pregnancy is less than 12-week gestation, and stigma against pregnant people seeking abortion, particularly in small communities (ARC and Grimes, 2021). People seeking asylum, those without homes, those from Mincéir or Traveller communities, people with disabilities, those who cannot travel efficiently and those with low incomes all continue to face difficulties in becoming informed about and accessing abortion care.

In order to deliver safe and accessible abortion services, promises were made that safe access zones, where women and pregnant people, are free from intimidation and harassment, would be legislated for; yet this has not happened. Medical professionals in Ireland have the right to conscientiously object to providing service in their practice and must then refer a patient to a doctor on the public register (Oireachtas, 2018: 23). Some doctors refuse to refer, meaning a patient may be in a situation in which a mandatory two visits (to comply with the waiting period) becomes three or four visits. In cases where a patient has work or caring responsibilities, lives far from larger urban areas, or struggles to travel or to navigate the complex Irish healthcare system, this becomes an increasingly impossible burden and too often the process extends beyond the 12-week limit even if the patient sought care immediately upon discovering the pregnancy. No exceptions are made for those failed by the healthcare system, or those who acquired an abortion via medication that subsequently failed. The state's reliance on medication abortion, except for gestation periods after 10 weeks, limits the choices available to pregnant people. According to Calkin and Berny (2021: 3), the legislation's standards for termination after 12 weeks are 'unworkable and arbitrary', with requirements creating 'a chilling effect around certifications of fatal foetal anomaly' where physicians fear prosecution under the unclear terms of the law.

Mobility is a key determiner of access to abortion care in practice. The National Women's Council of Ireland found in 2021 that only one in ten GPs provide early medical abortions, while surgical care is available at only half of maternity hospitals. Additional legal barriers may be in place for asylum seekers, who sometimes require state permission to travel and often must overcome language differences. Side (2016, 2020) discusses the presumption of mobility that operates to prevent legal abortion care at length in her 2016 and 2020 articles. Add to this the cost of transportation, child-care, loss of work, private fees for consultation and/or scans, and uncertainties around the need for multiple visits to multiple locations, and 194 abortion-seekers in 2020 still chose to access care in England (Department of Health and Social Care, 2020). It is clear that the 2019 legislation, under review at time of writing (Oct 2021), has not fully delivered accessible abortion care and the rights of women and pregnant people over their bodies are still in the hands of the Oireachtas. As de Londras (2020: 41) notes,

The failure to engage seriously with these questions of constitutional rights has produced a law that fails to deliver decisional security; a pregnant person simply does not know what she is *entitled* to.

Though abortion has been partially decriminalised, access to it is far from universal and the vagueness of legislative language has a suppressing effect on the exercise of choice. Thus, it is vital to continue the documentation and evaluation of activism surrounding these issues and its results, and the authors of these articles seek to significantly contribute to that discourse. In the aftermath of the long campaign to repeal the 8th Amendment, it is vital to consider the histories, impacts, and legacies of Irish reproductive rights activism in both the national and global contexts. This special issue adds substantially to that growing scholarship.



**Figure 1.** ‘The Attorney General v X’, Mná na hÉireann [Irish Women] Series. Photograph by Amy Walsh. 2019

### **SPECIAL ISSUE ON REPEALING THE 8TH: IRISH REPRODUCTIVE ACTIVISM**

The ‘Repealing the 8th: Irish Reproductive Activism’ special issue includes twelve articles, by eighteen contributors, and all but one of which were part of a larger group who made submissions to the *Canadian Journal of Irish Studies*’ Fall 2019 call for papers on a proposed Special Issue of the Journal on ‘Repealing the 8th Amendment’. It also includes one topic-related article that was not part of the response to this submission. Submissions were made in response to the call for papers announced at the Canadian Association of Irish Studies’ conference, ‘Irish Bodies and Irish Worlds,’ hosted by Concordia University, Montréal, Canada, 29 May to 1 June 2019. Three guest editors, none of whom had any direct associations with the campaign to repeal the 8th Amendment, were also announced at that time. In autumn, 2019, the *Canadian Journal of Irish Studies (CJIS)* circulated the call for papers and published it on the scholarly association’s website. Submissions were accepted by the journal issue’s three guest editors during the winter, 2019, and, at one point, deadlines were extended to accommodate their receipt in light of the COVID-19 pandemic. Contributors received confirmation of their submissions and in early June 2020, the special issue’s three guest editors noted that submissions included ‘a terrific list of contributors’ and the three guest editors indicated their intention to send submissions out for the peer review process.

It was surprising then, on 17 July 2020, when contributors received an email message indicating the cancellation of the special issue on Repealing the 8th Amendment. This decision was initially taken by the guest editors without consultation with the journal’s Editorial Board. Contributors, who had assumed that their submissions were in the

process of peer review, demanded some answers. The explanations that were offered through email correspondence carried very little weight. The guest editors claimed that they had been ‘advised to seek legal advice’ and had received ‘unanimous advice that...continuing with the issue could be highly problematic.’ Claims about why this might have been the case pushed the boundaries of reason. They claimed that the publication was unfeasible ‘in the climate of a global public health crisis.’ They claimed that publication would violate Irish defamation laws; when pushed on this, they readily admitted that the submissions—none of which had actually been sent for peer review—did not contain any content that was identified as defamatory. In fact, they acknowledged that ‘there was no legal judgment made on the individual articles or scholarship’. They claimed that the publication of the volume could attract ‘significantly more attention than we [the guest editors] had initially anticipated.’ They claimed that the negative attention would be brought to bear on the Canadian Association of Irish Studies (CAIS). They claimed that negative attention also would be brought to bear on some of the contributors themselves, many of whom have published previously about abortion in Ireland and elsewhere. They claimed that the intended journal issue could serve as a ‘blunt instrument for controversy,’ ‘rather than as a body of articles assessed on the astuteness of their analysis.’ They declared the proposed special issue to be ‘a problem’. As readers of this volume, we leave it up to you to decide about the allegedly problematic nature of these astute scholarly analyses.

The contributors to this volume, (who found their way to one another through their scholarly and activist connections) assumed that a reasonable conversation with the journal’s editor (which changed midway through this process), Editorial Board members (some of whom have since resigned their positions on the journal), and the Canadian Association of Irish Studies Executive members (now under new leadership) would lead to a reversal of the guest editors’ decision. This was not to be the case. Members of the journal’s editorial boards (comprised of Associate Editors and Editorial Board members, but excluding the guest editors) requested a meeting, but the Association’s Executive Committee members declined to meet with them. Exchanges between the contributors of this issue and the Association’s Executive Committee went back and forth over a period of fourteen months. There were letters from the contributors who demanded some accountability for the decision and responses from supporters of the decision to censor the issues. One individual, who supported the censorship commented, perhaps naively, that the contributors’ tone seemed ‘very angry.’ After fourteen months, the journal made a vague offer to consider publication, but it refused to answer all questions about the status of the previously sought legal opinion or about the effects of this legal opinion for future publication.

What remains highly problematic about this entanglement is the issue of academic censorship. The topic of abortion has a long history of silence and repression in Ireland. Laws about censorship were deployed historically to silence women and deny them opportunities to know themselves, their bodies, and to share their knowledge with others. Indeed, one of the most significant contributions of the Repeal campaign during the public referendum to repeal the 8th Amendment was the opportunity for a women-led, grassroots campaign, to tell difficult and painful stories and to do so publicly where the stories would be heard. Furthermore, the discipline of Irish Studies has a poor history of engaging with women, including as scholars of Irish history and society. This decision was a missed opportunity to address this relatively poor history of engagement. It seems short-sighted to let this particular journal (*CJIS*) have such a decisive say over what could be said and heard about abortion in Ireland and the contributors worked together to seek a new forum for publication for their analyses. It goes without saying how grateful we are to *Feminist Encounters* for working with us in a wholly professional and transparent manner to publish this collection of articles. As guest editors of this special issue, we are also grateful to all the contributors for enduring an unanticipated and protracted period of acrimony around the issue of academic censorship. We are also grateful to others who have forged ahead during this period to continue to publish comment on the 8th Amendment, the referendum outcome, and its significance for Ireland, Northern Ireland, and for Irish Studies, many of whom are cited within these articles and many others.

We, the editors of, and contributors to, this issue, are galvanised by our belief that these analyses are vital because they represent a variety of academic disciplines and methodological lenses, all working together to understand the full impact of the Repeal the 8th campaign on reproductive rights in Ireland and globally. Moreover, we believe that the process by which this contributors’ group has formed contains echoes of the collaborations and tensions that were present during the campaign themselves. Our varied frameworks and experiences inform our priorities and approaches to academic collaboration, and when faced with concerns that the feminism which underpins both scholarship and activism will be ‘problematic’ it was necessary for us to consider our response as individuals and as a group, and to clarify together what values and priorities should guide us. Within this group are academics at many stages of their careers as well as non-academic activists whose experiences should be acknowledged as valuable insights. Together, we considered what potential damage there might be to our livelihoods, careers, and the organisations to which we belong, and confirmed the priorities that led us to this labour. By collaborating in our responses to the co-editors of *CJIS* and within this issue of *Feminist Encounters*, we push back against the narrative that reproductive choice and the socio-political discourses surrounding it are

inappropriate topics to address through scholarly analysis. Instead, we again claim that they are necessary topics and require multiple, sometimes conflicting, scholarly approaches.

This dialogue continues to be recognised as important by other scholarly journals, presses, and production companies, including a special issue of *Feminist Review* (Abortion in Ireland, 2020), a special issue of *Éire-Ireland* (Reproductive Justice and the Politics of Women's Health, 2021), and number of books including *After Repeal* (Zed Books, 2020), *In Her Shoes: Women of the Eighth* (New World Books, 2020), *It's a Yes: How Together for Yes Repealed the Eighth and Transformed Irish Society* (Orpen Press, 2019), *In the Shadow of the Eighth: My Forty Years Working for Women's Health in Ireland* (Penguin Ireland, 2019), *Rise Up and Repeal: A Poetic Archive of the Eighth Amendment* (Sad Press, 2019), and films, *The 8th* (Persistor Films, 2020) and *When Women Won* (Irish Film Institute, 2020). These analyses sit alongside other efforts, undertaken by scholars, scholar-activists, activist groups and by the Irish government, to reassess the implications of the *Health Termination of Pregnancy Act* 2018. Lorraine Grimes worked alongside the Abortion Rights Campaign to publish *Too Many Barriers: Experiences of Abortion in Ireland after Repeal* (Abortion Rights Campaign, 2021) and the government of Ireland announced that it will appoint an independent expert to review the implementation of the current law. This ongoing issue remains important for Irish Studies and these scholarly analyses are contributions that cannot be silenced easily.

## OVERVIEW OF THE SPECIAL ISSUE ON REPEAL

As explained previously this *Feminist Encounters* special issue came about as part of the resistance of feminist scholars and reproductive rights activists, most based in Ireland, to the shutting down by the *CJIS* of their work. Through various channels we found each other, and after realising that we would get no satisfactory response to our work from *Canadian Journal of Irish Studies* (*CJIS*), we contacted *Feminist Encounters*. As the journal is 'committed to argument and debate, in the tradition of historical feminist movements', we felt that there would be a welcome and an understanding of our determination to publish these important analyses of the Repeal the 8th campaign in Ireland. Ireland and its Repeal campaign has become an inspiration and model for many ongoing reproductive rights campaigns, globally, and it is vital that Repeal is contextualised and analysed in all its aspects, negative and positive. This, we, as editors and contributors, see as part of the *Feminist Encounters* aim to provide a 'forum' for feminist theorists, scholars, and activists to communicate with each other, to better educate ourselves on international issues and thus promote more global understanding, and to enhance our critical tools for fighting for human rights. The articles below, feminist scholarship for feminist and activists, all of which had been submitted to *CJIS*, have now been rigorously peer reviewed, and consider the impacts, legacies, learnings, and outcomes of the long fight for reproductive rights in Ireland, in its local and global context. We would like to express our deep gratitude to the editors of *Feminist Encounters* for recognising the importance of this scholarship and for giving this Special Issue a feminist home.

The first two articles in this issue, by Mary McAuliffe and Sinéad Kennedy, provide an historical perspective and contextualize the campaign to repeal the 8th Amendment. McAuliffe in 'Opening Pandora's Box'; The Anti-Amendment campaign, 1980-1983', traces the transition of framing abortion in Ireland from a moral issue to a healthcare and human rights issue. She shows the long history of the ideology of respectability in a post-colonial Ireland, its use in containing and controlling women's bodies, particularly their reproductive bodies, and the battles by the right, secular and religious, to retain that power and control in the face of a nascent second wave feminist movement. She exposes the history of those who opposed the inclusion of the 8th Amendment in the Constitution and the gradual lead up to feminist campaigning for abortion access during the early 1980s. She details the significant barriers that anti-Amendment campaigners encountered, from Catholic clergy and lay organisations whose agendas were intent on upholding ideas about gendered morality. Women's groups were not fully in support of anti-Amendment campaigns and early feminist movements remained remarkably silent about abortion. Among those campaigns that emerged, feminist efforts were lacked a broad-based campaign and were fractured. Chipping away at morality-based arguments occurred slowly and alongside the persistence of very difficult circumstances for those seeking access to abortion. McAuliffe reminds readers of the relatively low voter turnout that ultimately resulted in the inclusion of the 8th Amendment which led to a retreat from anti-Amendment activism, and which was captioned by journalist Nell McCafferty, as having been a debate about 'women's role' in Ireland in 1983.

As co-founder with Ailbhe Smyth of the Coalition to Repeal the 8th Amendment and as a member of the Together for Yes executive and the head of research for the campaign, Sinéad Kennedy is uniquely situated to offer a comparative study of two referendum campaigns in her article: 'A Tale of Two Referendums: A comparative study of the Anti-Amendment Campaign and Together for Yes'. Kennedy draws on her 'insider/outsider position' to consider two different referendum campaigns: The Anti-Amendment Campaign that organised to oppose the introduction of the 8th Amendment in 1983, and Together for Yes, the 2018 campaign to remove the amendment and legalise abortion in Ireland. The article examines the tensions which troubled the campaigns and the political compromises that both felt compelled to make. The success of the 2018 campaign, which centred the reproductive

experiences and testimonies of women, offers hope at a time when abortion rights are under attack across the world. Kennedy notes that there is much that the international struggle for abortion rights can learn from these strategies but cautions that ‘tensions do not evaporate, and more liberal strategies come with a cost’.

Katherine Side’s article, “‘Changed Utterly’: The Citizens’ Assembly on the 8th Amendment”, examines the Citizens’ Assembly, as a process that preceded the public referendum on the 8th Amendment. Side connects analysis of the model of the Citizens’ Assembly as a form of public deliberation, with focussed examination of the opportunities and limitations encountered through the Citizens’ Assembly on the 8th Amendment. Through discussion of the participatory nature of the Assembly, Side identifies the weaknesses, including a lack of transparency in decision-making and the exclusion of some voices. Favouring expert opinion over experiential knowledge of those with first-hand experiences of travel and abortion replicated existing ways in which the Irish public and the state relate to one another. Side argues that although the Assembly did not meet the aspirational heights of Chambers’ conceptualization of deliberative democracy (2009), it exposed a potentially productive space for more inclusive public deliberations which may aid working towards enhanced, mutual public-state engagement in the future.

Five authors who were key to the Repeal the 8th campaign in Dublin co-present ‘Leading Change: Reproductive Rights, Empowerment and Feminist Solidarity in the Dublin Bay North Repeal the 8th Campaign’. This important article weaves together the impact of past and present collectivist activism as it operated to activate not only voters, but key activist methodologies. Centring two collectivist approaches, non-hierarchical ‘power with’ and the feminist ethics of ‘caring with’, the Dublin Bay North (DBN Repeal) campaign group garnered significant support among new activists, integrated long-time activists, and forged their own practices and priorities sometimes unique in the nation and on the island. This article theorises the practices of leadership that developed on the ground during this campaign as they activate intergenerational solidarity and attend to other intersections of gender, class, and geography. The deep and detailed research project outlined in this article incorporates data from the authors, representing a significant portion of the campaign leadership, from a survey and social gathering of the group’s activist members, and from a series of interviews conducted in partnership with Maynooth University’s Department of Geography. This article, then, represents and theorises the labour of the activist/academic group as it seeks to document and evaluate how and why DBN Repeal’s application of these approaches influenced the largest voter turnout in Dublin. Its contribution to this issue can be read as a pattern from which other collectivist groups might develop their own approaches as well as an important archiving of the DBN Repeal work.

The three articles which follow focus on visual images and their role in the referendum campaign. Together, they offer close examinations of the posters and murals that became commonplace on street, lampposts and in public spaces during the campaign. One specific visual image is the subject of Orla Fitzpatrick’s article, ‘Remediating Family Photography: Savita’s Image and the Campaign to Repeal the 8th Amendment.’ Fitzpatrick examines its photographic elements and traces its iconicity, after her tragic death, of Savita Halappanavar’s photographic image. Now recognised internationally, this image straddles the spaces of family photographic album and the public memorial. Fitzpatrick’s analysis locates Savita’s image in ‘the material culture of protest and struggles for justice.’ She argues that Savita’s image has acquired a wide cultural resonance that places it ‘on par with political leaders and rebels’ and has come to stand for the injustices of Ireland’s pre-Repeal abortion law. It has endured long past the end of the referendum campaign and continues to serve a commemorative purpose.

Fiona Loughnane’s article, ‘Foetal Images on Political Posters: Bodily Intimacy, Public Display and the Mobility of Photographic Meaning’ examines an often-used and overly familiar trope: the foetal image. By examining various campaign images and their contexts, Loughnane demonstrates their complex meanings when displayed on public political posters. Loughnane contrasts the ubiquity of foetal images in Retain the 8th campaign posters and their association with conservative public politics, with a foetal image in Spanish photographer Laia Abril’s Dublin-based photographic exhibition, which coincided with the referendum campaign (Photo Ireland, 2018). The contrast between these two images complicates popular meanings of foetal images, demonstrates their visual mobility in the public realm, and situates them in the discourses of ‘civility/incivility in the context of states and state politics.’

Ann Curran’s essay ‘The Ordinary in the Extraordinary: Making Visible the Operations of Stock Photography in Posters Against Repeal during the 2018 Referendum’ examines the visual strategies employed primarily by campaigns against repealing the 8th, arguing that the use of stock photography deploys semiotic and affective techniques to ‘manifest social, cultural, and political meanings’ under the perception of objectivity carried by photography. Through close readings of the photographs and the way they are framed by graphic design, text, and the locations of their deployment, Curran reveals multiple strategies: some operating to confirm the Irish conceptualisation of motherhood and family as heteronormative, white, and productive, and others functioning to provoke disgust and direct shame towards people who seek abortions. Using innovative analysis of the contexts in which stock photography is developed, searched for, described, marketed and used, Curran follows these threads to connect Irish anti-abortion rights campaigns to others abroad, trace references to larger cultural phenomena such as celebratory ‘pregnant belly’ photography, and highlight the way stock image sites shape and are shaped by

cultural and capitalistic motives. Curran's essay builds on Roland Barthes' concepts of relay and anchorage to demonstrate the ways linguistic and other framing devices work with graphic design and the contexts in which they are deployed to influence abortion debate.

The telling of stories through various forms and media was a key factor in determining the outcome of the Repeal campaign, as these essays analysing and exploring the cultural products used or created during that time demonstrate. Shonagh Hill, in her article 'Not at Home: The Affective Labour of Repealing the 8th Amendment', offers a compelling analysis of the detailed and deliberate creation of a cultural product designed through theatre and performance techniques to tell an affective, multi-perspective story of travel for abortion care. This story is affective not only in that it moves the imaginations and emotions of an audience, but in that it physically moves the bodies of audiences through several spaces that use the techniques of theatrical staging to centre the affective qualities of such travel. Sara Ahmed's theorisation of affect as *movement* and therefore as *labour* underpins both the theatrical presentation and its analysis, as Hill leads the reader through her own encounter with the performance. Hill skilfully contextualises that journey in terms of the artistic labour of storytelling that depends on affect as its goal and material, the labour of the pregnant person as they travel physically while often managing and suppressing a challenging emotional journey, the labour of activism as it manages conflict and its associated emotional strain. A particularly valuable contribution to this discourse is Hill's detailing of the often hidden logistical and economic labours undertaken by artists who approach controversial work such as this, trying to find funds and spaces in which to express and engage with deeply affective issues that require significant labour and investment to address.

Two multi-authored articles deal with how the ideologies of respectability, motherhood and reproduction impacted on women's lives, and on the decisions taken during which women were represented in the Repeal campaign. Miriam Haughton, Sarah Hoover, and Ciara L Murphy, in their article, 'Think Outside My Box: Staging Respectability and Responsibility in Ireland's Repeal the 8th Referendum' argue that while the deployment of 'respectability' as a method of disciplining female bodies is not a uniquely Irish experience, it does have a long history in the context of Irish reproductive rights. Even within the Repeal the 8th 2018 campaign itself, despite its feminist influences and leadership, certain narratives of 'respectable' and 'responsible' womanhood were deployed in key performative and affective strategies, by both pro- and anti-choice campaign groups. The intent of appealing to the 'middle ground' by deploying images of 'good' heteronormative women demonstrates that even thirty-five years after the 1983 referendum when this image was deployed to insert the 8th, the idealised, respectable Irish woman trope remains influential. However, in a call to 'cut the cord that ties the foundational myths of modern Irish nationhood ... to female embodiment', the authors show how this heteronormative norm of respectable Irish womanhood was challenged in creative ways during the Repeal campaign and issue a call for constant attention to the inclusion of the experiences and bodies that actually constitute modern Irish society in feminist campaigns on into the future.

One of the most powerful, and influential, aspects of the Repeal the 8th campaign was the telling of women's stories. In their article, "'Our Darkest Hour": Women and Structural Violence under Ireland's 8th Amendment', Michaela Carrol, Cara Delay, Beth Sundstrom, and Annie Gjelsvik provide an analysis of the 773 anonymous women's narratives of accessing abortion in an Ireland under the 8th, which were shared during the course of the 2018 campaign on the Facebook page 'In Her Shoes'. These stories tell an all too familiar narrative, of forced travel, barriers to care, partner violence, rape and sexual abuse, and the withholding of information by their healthcare providers in Ireland - all a result of the chilling effect of the 8th amendment. A deep dive into and a reproduction here of the narratives told on 'In Her Shoes' suggest, as the authors write, that only by listening to women's narrative and validating their experience of structural, obstetric, and systemic violence can we understand its very real gendered consequences on lived lives. The final article to deal with Repeal in this Special Issue is 'Women's Stories, Transforming Understandings of Abortion,' in which author Amy Walsh recounts how personal stories told by women from the advocacy group, Terminations for Medical Reasons Ireland (TFMRI) shaped how stories were both told and heard in the context of the referendum on the 8th Amendment. Including her own personal story in the analysis, Walsh argues that these stories and their collective force were instrumental in transforming understandings about abortion in Ireland. Their public and collective recounting moved them away from understandings of isolated incidences and towards their location 'firmly in the world of maternity.' They were situated in public discourses about love, care, and loss, all of which had been tangential in previous public decision making about abortion in the Irish Constitution.

An additional, but related, article from Shara Crookston flexes away from the specific context of the Irish abortion rights campaign and its histories and impacts, drawing attention instead to recurrent narratives in television shows produced in the United States and aimed toward adolescent and young adult audiences. Crookston's article was not a part of the original group of contributions to the Canadian Association of Irish Studies' call for papers, but it sits comfortably in this discussion about abortion and its varied public representations. *Jane the Virgin*, *The Fosters*, *Pretty Little Liars* and *Riverdale* all feature storylines that almost always over-exaggerate negative outcomes for those who seek abortions, rarely use the word 'abortion', and often portray



unplanned pregnancy as a punishment for 'bad' behaviour. Here Crookston centres the post-feminist rhetoric of choice to analyse the ways unplanned pregnancy is framed as exemplifying the liberation of women while simultaneously it is used to curtail and punish a character's lack of empathy or morality. These storylines also reiterate stigma by almost always drawing their characters through painful experiences of silencing, isolation, abandonment, and shame. Additionally, the over-representation of young, white women in their first pregnancies as those most often seeking abortion care (even in television aimed at older audiences) supports the narrative that abortion policy needs to 'protect' a vulnerable, inexperienced population. Crookston's article provides valuable insight into the ways that structural issues surrounding access to abortion are rarely addressed in these shows, particularly those facing mothers who are young, single, or both. By ignoring these barriers, these influential television shows support a post-feminist, neoliberal interpretation of 'choice' in which failures of family cohesion, economic stability, or childrearing are laid at the feet of the individual rather than understood as systemic, endemic, and requiring significant labour to change.

As detailed earlier, this special issue of *Feminist Encounters* has taken a prolonged and unanticipated pathway to publication. On publication it will take its place among the many feminist analyses of Repeal, building on those analyses and adding important rigorous and scholarly interpretations and reflections to these previous works. It is also a firm and defiant response to what its contributors perceived as attempts to censor feminist and reproductive rights scholarship within Irish Studies. No longer can the voices of feminist scholars and activists be marginalised or minimised; indeed, the necessity of this feminist lens is borne out in these articles and in the many publications on, and the continued global interest in, how Irish feminists Repealed the 8<sup>th</sup>.

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## ‘Opening Pandora’s Box’: The Anti-Amendment Campaign, 1979-1983

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### ABSTRACT

This article takes a close look at the history and development of the Irish right to choose and anti-amendment abortion campaigns from 1979-1983. In 1980 the Women’s Right to Choose Group (WRCG) was formed and was the first Irish feminist group to openly campaign for women’s right to choose. This article will consider why campaigns for choice happened so late, and why the response by the anti-choice lobby to any right to choose activism was so fierce and dogmatic. By situating the abortion campaigns in their historical context, we can further understand the barriers that the pro-choice feminist activists faced. The activism and ideas of the WRCG, as well as those of the Women’s Right to Choose Campaign (WRCC), trade union activists, political parties etc., along with tactics of the Anti-Amendment Campaign (AAC) will be considered. The arguments used by all groups will be analysed, as will the discussion points put forward by the board-based umbrella group, the AAC. The tensions and splits in the anti-amendment side will be analysed to further understand the enduring legacies of the 1983 anti-amendment campaign for the Irish women’s movement once the 8th amendment was inserted into the Irish Constitution.

**Keywords:** anti-amendment campaign, Ireland, abortion, 8th Amendment

### INTRODUCTION

On 4 April 1979, RTÉ, the Irish National Radio and TV station, recognising travel for termination was something experienced by many Irish women, featured a radio documentary about one woman travelling to England to access a termination of pregnancy. The first substantive investigation undertaken by the State broadcaster into the issue, *Abortion*, was broadcast on RTÉ Radio 1. Presenter Marian Finucane accompanied an anonymous young Irish woman as she left Dublin to travel to London. She went with the woman to the healthcare clinic, spoke with her in the recovery room and followed up with her six weeks later. One of the questions asked by Finucane, was how, morally, the woman was able to justify her decision to seek an abortion. The young woman replied,

a certain part of me thinks it’s wrong because of my Catholic upbringing. I feel it is right for me (...) But I don’t think it’s right under all circumstances - that might be a hypocritical thing to say (*Abortion*, 1979, RTÉ Sound Archives, A858).

The moral ambiguity felt by this young woman was very common among Irish women, including Irish feminists, on the question of abortion. Despite almost a decade of second wave feminist activism, the ideological influences of American and British right to choose activists, and the slight opening of a previously inward looking, conservative society, by 1979 abortion was not, publicly at least, always understood as a women’s healthcare issue. By then feminists may have been talking about and writing on the issue in their meetings and magazines, but while access to contraceptives was a public feminist issue, no national campaign on the right to choose or to decriminalise abortion had begun.

### REPRODUCTIVE RIGHTS IN IRELAND, 1922-1979: A HISTORICAL CONTEXT

Research and publications on abortion and Ireland have increased in recent decades, which allows for a fuller understanding of the historical complexities of reproductive rights in the Irish State since its foundation in 1922.

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The State did not have to criminalise abortion as it was already a crime under the 1861 Offences against the Person Act, adopted when Ireland was governed by a British Parliament. As work in recent decades by feminist scholars and historians has demonstrated, campaigns for full reproductive rights in Ireland have a difficult history. The first decades of the Irish Free State saw a stabilising of democratic systems after a War of Independence (1919-1921) and Civil War (1922-1923), but the promised equality for which women militants (suffragettes and female republicans) had fought and expected was not forthcoming. In a conservative Catholic majority country, the State in partnership with the Catholic Church, which, even prior to the establishment of the State, had control over education and health care, ensured that women's lives and women's bodies were subject to legislative and moral controls and strictures. From the floor of the Dáil<sup>1</sup> and from the Catholic pulpit came the promotion of the dominant discourses on the 'proper' performance of Irish womanhood; domesticity, marriage, motherhood, and above all, respectability. This impacted on all aspects of women's lives 'where the right to work outside the home, the right to control fertility and reproduction' as well as access to social, cultural and political power was regulated and controlled (McAuliffe, 2015: 50). As Delay (2019: 481) notes, for the nascent Irish State, it was important to control the sexual behaviour of women,

ensuring that they only reproduced within marriage and encouraging high marital fertility rates (...) [this] was particularly essential in a new nation-state that equated women's roles, and particularly motherhood, with the virtue of the nation itself.

As Earner-Byrne (2007) has shown in her research, successive Irish Governments also considered contraception a moral rather than women's health issue. The idea, she writes,

that birth control might constitute a positive health intervention was not countenanced on the grounds of Catholic doctrine, which rested obstinately on the belief of moral absolutism (47).

As part of the drive to regulate and constrain women's ability to access birth control, censorship became a very effective tool. Maurice Curtis' study of militant Catholicism in Ireland demonstrated the extent to which Catholic lay organisations and the Catholic clergy were concerned about how 'knowledge of sex and contraception' could be culled from 'birth control literature and sex manuals' (McAvoy, 2012; 37). This led to a campaign to control access to this type of literature and censor any information on birth control. As outlined by McAvoy (2014: 194), opponents of birth control gained early successes when they 'influenced the 1926 Evil Literature Committee and the subsequent 1929 Censorship of Publications Act (1929/21)'. Both led to very effective censorship of birth control information, while continued pressure from those opposed to any access to contraceptives gained more success with the passing of the 1935 Criminal Law Amendment Act. This Act criminalised the importation and sale of contraceptives, instituting an outright ban on access to contraceptives. As McAvoy (2014) further outlines, the 1930 encyclical letter, *Casti Connubii*, issued by Pope Pius XI, which 'condemned contraception, sterilisation and abortion as "criminal abuse" of marriage', while dismissing any arguments about family limitation on women's health grounds, further emboldened the anti birth control lobby (197). Catholic morality would be the dominant set of doctrines used when dealing with or discussing Irish women's reproductive rights and healthcare in the following decades. This 1935 ban on contraceptives much delayed 'the emancipation of Irish women-not least by subordinating their life and health to their reproductive functions' (McAvoy, 2014: 202).

These campaigns to censor and subsequently outlaw information on and access to contraceptives reinforced the connection between Irish femininity, morality, and respectability. Domesticity, respectability and marital reproduction were seen as the vital contributions of women to the wellbeing of the Nation, and as noted by Meaney (1991: 6) 'in post-colonial southern Ireland [this] particular construction of sexual and familial roles became the very substance of what it meant to be Irish'. Female reproductive virtue was based on motherhood only within marriage, while containing reproduction within marriage rested, as Fischer (2020: 989) notes, on the 'withholding of information, especially on reproduction and sexuality, a prohibition of contraception and, of course, abortion'. Not only did legislation and religious teachings define a marital, maternal, and domestic role for Irish women, this narrow construct of acceptable femininity was also recognised in the Irish Constitution. Article 41 of the Constitution of Ireland (1937) defined the marital, heteronormative model of family as 'primary and fundamental unit of society', decreeing it 'a moral institution possessing inalienable and imprescriptible rights, antecedent and superior to all positive law'. This article is followed by further insertions, known as the 'women in the home articles', which are essentially prescriptive definitions of women's place within society. They recognise that by her life in the home, woman gives to the State 'a support without which the common good cannot be achieved' and furthermore, it (The State) would ensure 'that mothers shall not be obliged by economic necessity to engage in labour to the neglect of their duties in the home' (Article 41.2). This led to a situation in Ireland that, as Bacik (2015: 147) has noted, was unique, a 'legal and constitutional approach to reproductive health'; Ireland,

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<sup>1</sup> The Dáil is the lower house of the Irish Parliament (Oireachtas).

being the last country in Europe to legalise contraception and the only country in the world which had a constitutional provision giving equal rights to life to 'the pregnant women and to the foetus she carries'.

In their study, *The Irish Abortion Journey*, Earner-Byrne and Urquhart (2019: 9-10) note that,

since the legalisation of abortion in Britain in 1967, an estimated 200,000 women have travelled from the island of Ireland to England for the termination of a pregnancy.

Prior to 1967, Irish women had not only to deal with their own healthcare within a system which viewed the female reproductive body through a faith-based lens, but they also had to navigate 'moral, legal and social controls' when dealing with pregnancy (Earner-Byrne and Urquhart, 2019: 33). These controls included a complete ban on contraceptives, a moralising and carceral attitude to pregnancy outside of marriage and an acceptance that reproduction should be unimpeded by knowledge of, or access to, abortion or indeed, after 1935, contraceptives. Scholars have looked at the many ways unwanted pregnancies were dealt with - infanticide, backstreet abortions, and other methods were all used. Interestingly, therapeutic abortions were sometimes occurring, despite challenges from religious and political quarters, in some Irish hospitals, if the life of the mother was at risk, but 'their [the mothers] condition had to be acute, and death must be imminent' (Earner-Byrne and Urquhart, 2019: 36-37). So-called criminal abortions might also be presented to doctors, essentially cases where the women either attempted a home abortion or suffered a botched back street abortion—here it was recommended that the doctor should treat the women but should also consider involving the police, which stresses that the doctor was both healthcare provider and moral gatekeeper.

Cliona Rattigan's work on infanticide up to the 1950s in Ireland shows that it was mostly young, unmarried, working-class women, many of them victims of abandonment by the father, and who, due to socio-economic and familial pressures combined with a sense of shame and desperation inculcated by the moralising society in which they lived, committed infanticide (Rattigan, 2011). While infanticide was not uncommon, in her study of how women illegally accessed abortion in 19th and 20th century Ireland, Delay (2019: 481) details other methods by which unwanted pregnancies were dealt, two methods being the 'use of 'noxious things' and surgical/invasive methods'. Abortion did not always,

begin with an abortifacient; a complex array of other traditional methods—self-harm, hot baths, and strenuous exercise—also coexisted with, or sometimes preceded, drugs. (Delay, 2019: 482)

Where drugs, herbs, exercise or self-harm failed 'most women sought help either from friends and family or a 'professional' abortionist' (Delay, 2019: 481) and, as Delay argues, the numbers of women who tried to self-terminate or seek an illegal abortion were high, in the hundreds, and possibly thousands prior to the 1967 UK Act. The pressure on backstreet abortions increased when travel to Britain was difficult, for example, the 1954 Commission on Emigration reported a rise in persecutions of backstreet abortionists during the Second World War when travel was restricted, indicating the service that travel to the UK provided, even then, to keep Ireland 'abortion free' (Connolly and O'Toole, 2005: 69). However, during the first five decades of Irish State, 1920-1970, for most women faced with unwanted pregnancy options were very limited; travel to the UK, procuring pills and potions which could kill or maim as soon as work, a backstreet abortion, confinement in a Mother and Baby Institution and giving up the child for adoption, or for the most desperate, infanticide. This was all the result of a moralising, carceral regime imposed on the female reproductive body, which shamed and silenced women through the diminishment of their selfhood, autonomy and agency.

## **SECOND WAVE FEMINISM AND (NON)ENGAGEMENT WITH REPRODUCTIVE RIGHTS, 1970-1979**

The disciplinary regimes of Irish Church and State and the ideologies of respectability and morality in the first decades of Irish independence were, according to Kitchen and Crowley (2008: 369),

so deep-seated that it was not until the 1970s through to the 1990s that legislation and the Constitution were subject to sustained critique and campaign, and a reconfiguring of the immediate post-independence, moral landscape was undertaken.

The introduction of the 1967 Abortion Act in the UK offered some relief to Irish women particularly as an alternative to backstreet abortions, but moralising, carceral responses to unwanted pregnancies remained dominant. Incarceration in Mother and Baby Institutions was still prevalent and would remain so through to the 1980s, while unease and anxiety about abortion activism was prevalent among Irish feminist and women's groups. The Irish Women Liberation Movement (IWML), founded in 1971, did not mention abortion in its 1971 manifesto

'Chains or change'—its main concerns then were equal pay, equality before the law, equal education, contraception for all, justice for deserted wives, unmarried mothers, and widows, and one family one house. Its direct-action activism focused on access to contraceptives, still banned under the law; one of the more spectacular actions was the 'Contraceptive Train', when on May 22, 1971, IWLM members took the train to Belfast to buy contraceptives in protest at the inequality of having a law prohibiting the importation and sale of contraceptives in the Republic of Ireland, while these were for sale north of the border in Northern Ireland.

While the IWLM helped bring feminism into the public's consciousness it had fragmented by 1972, and it was not until 1975, and the setting up of the more 'consciously left wing' Irishwomen United (IWU), who were self-described as 'socialists, nationalists, republicans, lesbians and radicals', that abortion as an issue became part of the feminist agenda (*Banshee*, 1976: No. 2). The aim of the IWU was, as founder member Anne Speed recalled, to build an autonomous women's movement (McAuliffe, 2015: 90). Prior to their launch in June 1975 a working group drew up their charter—on which the important issues of equal pay and contraception were described as

the two things which allowed women to control their own lives, economic independence and the right to control their own bodies (McAuliffe, 2015: 90).

An offshoot of the IWU, the Contraception Action Programme (CAP), would campaign, from 1975 to 1981, for legalisation on contraception, and while they had some success in opening discussions on the issue, the subsequent 1980 Health (Family Planning) Act, which permitted limited access to contraceptives within marriage for 'bona fide family planning purposes', was regarded by activists as 'repressive, regressive (...) moralistic' and 'access to contraception remained restrictive into the 1980s' (Kelly, 2019: 291-294). While Speed (1992: 86) later wrote that for Irish feminists at the time 'abortion was the great taboo subject', the IWU did broach the issue in its magazine, *Banshee*. In their first editorial they asked, 'where the howls of outrage were when Irishwomen were denied contraception, divorce and abortion' (McAuliffe, 2015: 97). In its February 1976 issue it included demands for 'Free Legal Contraception, State financed birth control clinics and the right to free, safe, legal abortion' (McAuliffe, 2015: 97). Notwithstanding the recognition that the right to 'free, safe, legal abortion' was a feminist demand, in the years up to 1979 there were no systemic, organised, grassroots feminist campaigns which focused specifically on the decriminalisation of abortion or on the issue of choice. Most IWU members were in favour of abortion access, however, for 'tactical reasons, it was decided that their campaign should focus on the contraception issue' (Kelly, 2019: 283). While, as Speed (1992: 86) acknowledged, feminists knew that 'there was abortion in Ireland (...) except that it physically took place in England', for the IWU and CAP access to contraceptives was a more immediate and, possibly, a more 'winnable' issue.

Pro-choice campaigner Mary Gordon outlined, in 1984, two reasons why abortion had not been an urgent political issue in Ireland. Firstly, as she noted, the 'conservative Catholic nature of Irish society meant that there was a solid ideological opposition to the principle of women controlling their own fertility', and secondly 'the problem of unwanted pregnancies simply did not impinge on most people's consciousness as Irish women went to England in secrecy in order to continue with or terminate problem pregnancies' (Gordon, 1984: 9). The conservative Irish State which Gordon referred to had handed the Catholic Church control of the delivery of healthcare, as well as the training of doctors and nurses, sex education and reproductive health care, which meant all were considered and delivered from a faith based medical ethics standpoint. Sex education, mostly taught by male and female religious, was narrow, defining marital, reproductive sex as the only acceptable expression of female sexuality. Institutionalisation of women and girls considered deviant, lack of access to contraceptives and knowledge about sex, sexuality and the body, a medical system run along Catholic social thinking meant that any conversations on the issues of unwanted or unplanned pregnancies was largely absent from public discussions. The 1861 Offences against the Person Act was still enforced in the 1970s, making abortion a criminal offence and most backstreet or illegal abortions were prosecuted under this Act. As Earner-Byrne and Urquhart (2019: 30) noted,

many Irish women found ways to navigate the restrictive moral climate pertaining on the island of Ireland, but the solutions were often outside the state and at significant personal and financial cost.

In the 1970s, as travel to England became easier and more affordable, more women began to travel for terminations. The Irish feminist movement responded to this by providing information on travel. In London, the Irish Women's Abortion Support Group (IWASG), was from 1981, operating,

an information line, organising appointments for women at abortion clinics, negotiating with the clinics about price, meeting abortion seekers upon their arrival in England, hosting them overnight in their homes and sometimes providing childcare (Calkin et al., 2020: 8).

The ability of certain women, those with access to money, and hence to travel, contrasted with the continuing shaming and silencing of those women who could not travel for a myriad of reasons, in a still traditional conservative society. As a reviewer of the political programme, *Seven Days* on RTÉ television, noted, when a 1968 broadcast included a segment on the experiences of unmarried women; it was,

a terrible indictment of our approach to the girl who ‘gets into trouble’. Our ‘solution’ is callous, cruel, and quite simple. The girl vanishes either to England or behind the walls of an anonymous ‘home for Unmarried Mothers’ (*The Kerryman*, December 7, 1968: 3).

Recognising this indictment of society, feminists did campaign for supports for and an end to discrimination against unmarried mothers and had some successes; in 1972, for instance, Cherish was set up as a mutual support group for single mothers and to lobby for supports which would allow mothers to keep their children; in 1973 a single mother’s allowance was introduced by the Government. These achievements eased the experience of the non-marital pregnant woman and the unmarried mother in Irish society somewhat, but, by the end of the 1970s and a decade into second wave feminist campaigning, access to full reproductive rights remained, legally, morally and economically, far out of reach for most.

## ABORTION ACTIVISM IN IRELAND, 1979-1982

In 1979 a feminist, socialist organisation, the Women’s Right to Choose Group (WRCG), was set up with the intention of breaking the silence around abortion, forcing the issue onto the feminist agenda and into the public domain. It was a small group of more radical feminists who wished to discuss the lack of access to abortion in Ireland and the difficulties in obtaining information on how to access abortions in England. Placing the issue of abortion in the wider context of fertility control, it used the international feminist slogan ‘a woman’s right to choose’ as its mantra. In June 1980, WRCG set up the Irish Pregnancy Counselling Centre (IPPC), to provide nondirective pregnancy counselling and information on travel to England. It also published a pamphlet, *Abortion: A Choice for Irish Women* (1980). In this, the WRCG placed abortion in the context of women’s rights to control over their own fertility and to bodily autonomy, detached from all ideologies of morality, something which was quite radical in the Irish context. The aim of the pamphlet was to demonstrate that women in Ireland still did,

not have the basic civil and legal right to choose from among all the alternatives open to them when they [were] confronted with an unwanted pregnancy (*Abortion*, 1980: 23).

The most reactionary element of Irish society, it noted, was the fact that men still ‘retain their traditional and absolute right to control women’s fertility’ and that those rights were reproduced through the ‘collusion of state and the official [Catholic] Church’ (23). Members of WRCG addressed the moral underpinning of Irish legislative and societal concerns with abortion—they argued that the right to choose was not ‘a moral issue even though anti-abortionists have attempted to turn it into one’ (24). The final decision whether to continue a pregnancy or not, should, they argued, lie not with ‘priests, lawyers, doctors or politicians’, but with the woman. On this basis they concluded ‘the right to choose should be an inalienable right for women and is one we demand now’ (*Abortion*, 1980: 25).

It soon became clear that the activities of the WRCG were regarded as dangerous by those who sought to retain the status quo. Tom Hesketh has argued that the 1982-83 feminist campaigns against the 8th Amendment were ‘anticipative’ as there ‘were no pro-choice campaigns in Ireland’ at the time (Hesketh, 1990: 2). However, the evidence does show that there were feminist reproductive rights (including pro-choice) movements prior to 1983, which, in and of themselves, did elicit a response from the right. Framing feminist campaigns as ‘anticipative’ denies these activists, and their demands on reproductive rights agency as sources of transformation in Irish society. The 1973 McGee case, where the Irish Supreme Court found a constitutional right to privacy within marital affairs, covered the use, albeit limited, of contraceptives. This along with the gains in access to abortion in the in the UK (1967 Abortion Act) and in the USA (*Roe v Wade*, 1973) led to concerns, among the conservative right that Ireland would also have abortion introduced through legislation or through court cases (Hug, 1999: 146). In 1980 the Health (Family Planning) Act angered the right as they regarded even the very restrictive access to contraceptives allowed by this Act as symptomatic of transformations in Irish society that they were unwilling to accept. As Barry (1988: 57) noted, by 1980, ‘right-wing forces within the State interpreted the change as a major and ominous defeat’. However, while the dangers posed by the precedent set the McGee case, and the small gains on access to contraceptives were regarded as unsettling, the actions of the WRCG in 1980-81 caused much more serious anxiety among the right-wing moral crusaders.

By 1981 WRCG did make its aims clear on abortion: ‘the decriminalisation of abortion (...) and the establishment of a feminist pregnancy counselling service for women in crisis’ (Riddick, 2002: 267-268). As

reported in the *Evening Herald*, a public meeting of WRCG held on March 11, 1981, heard Riddick ask why women should be denied the basic 'right to control one's body' (Riddick in Bourke, 2002: 286). Despite its best efforts, however, WRCG remained a small, underfunded group which was having only a modest impact on the broader conversations on abortion. Indeed, the intense lobbying of the anti-abortion groups and the power of the Catholic Church had helped achieve what feminist groups were aiming for, a national public conversation on abortion. However, this national conversation was framed as a way of responding to and supporting what was perceived as the anti-abortion outlook of most Irish people, and of ensuring the equal right to life of the unborn be constitutionally protected. Those who were opposed restrictions on women's reproductive rights were slow to react to anti-choice campaigns to have a 'pro-life' amendment inserted into the Constitution, and it was not until December 1981 that WRCG held a conference to discuss the issue<sup>2</sup>. Stemming from this meeting, the Women's Right to Choose Campaign (WRCC) was founded; its aim, to fight the anti-abortion groups based on pro-choice arguments.

## THE ANTI-AMENDMENT CAMPAIGN, 1981-1983

According to Barry (1988: 58),

for nearly two years, between 1981 and 1983, the battle raged between PLAC and the Anti-Amendment Campaign (AAC), an alliance of feminists, left-wing and progressive forces.

The Pro-Life Amendment Campaign (PLAC), launched in April 1981, stuck to a singular, coherent argument in their campaign. They argued that people should vote for the amendment if they were against abortion and wished to keep Ireland's virtuous character intact. Abortion was constructed as an attack on the patriarchal, marital, reproductive Irish family as defined by the Constitution and by Catholic social thinking, undermining the 'construction of women in primarily maternal and subordinate terms' (Smyth, 2005: 60). It was against this argument that the umbrella anti-amendment movement, which included those who were pro-choice and seeking to have abortion decriminalised and those who were anti-amendment, although not pro-choice, or indeed, pro-abortion, were pitted (Barry, 1988: 58). In December 1981, a WRCC founder member Mary Gordon, noted that, 'it was assumed that (...) PLAC would be opposed by supporters of abortion rights on a pro-abortion basis' (Gordon, 1984:13). However, differences in strategy between the WRCG and the more radical WRCC soon emerged and were to cause ongoing tension among feminists throughout the anti-amendment campaign. While the WRCC wished to form grassroots, direct action, pro-abortion, feminist campaign, the WRCG preferred 'a broadly based 'respectable' opposition to PLAC, and worked among academics, professors and media people' (Mahon, 1987: 66). The debate on strategy between the WRCG and the WRCC continued until mid-1982, when the Anti-Amendment Campaign (AAC) was launched; indicating that the liberal platform of avoiding discussions of choice and women's bodily autonomy had won. The AAC was launched in June 1982 and WRCG became one of the lead organisers of its anti-amendment campaign through to the referendum vote in September 1983.

Gordon described the umbrella nature of the AAC, as a 'broad front campaign attempting to hold within its ranks many divergent views'. It was 'intended to keep out nobody and contain everyone' (Gordon, 1982: 5). As well as the WRCG, the AAC included Irish Council for Civil Liberties (ICCL), the IPCC, Cherish, the Rape Crisis Centres, the Labour Party's Women's National Council, the Dublin Well Woman Centre, the Union of Students in Ireland (USI), the London based Irish Women's Abortion Support Group (IWASG), the Council for the Status for Women (CSW) and the Trade Union Women's Forum. Lawyers and doctors also formed groupings to oppose the amendment, as did politicians. Its 1982 pamphlet established its position on the referendum, its five main points were that the amendment would,

1) do nothing to solve the problem of unwanted pregnancies in Ireland. It would not change the social problem of inadequate education and contraception facilities (...) 2) it would allow no exceptions even in the cases where pregnancy severely threatens a women's health or was the result of rape or incest 3) (...) it seeks to enshrine in the Constitution the teaching of one religious denomination (...) 4) (...) it will impede further public discussion and possible legislation on abortion (...) 5) At a time of severe unemployment (...) the proposed amendment is an irresponsible waste of public funds (AAC, 1982).

It also contended that abortion was already illegal in Ireland and there was only a 'remote to non-existent' chance that the 1861 Offences Against the Person Act would be repealed, that it was a sectarian and divisive amendment

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<sup>2</sup> The wording of the amendment read 'The State acknowledges the right to life of the unborn and, with due regard to the equal right to life of the mother, guarantees in its laws to respect, and, as far as practicable, by its laws to defend and vindicate that right.'



at a 'time when all Irish people should be striving towards a more open, compassionate, pluralist and less hypocritical society' (AAC: 1982).

The pamphlet demonstrated that the aims of the AAC were very broad and focused on several issues relating to women's lives, as well as issues of legality, constitutionality, and sectarianism, while on the anti-abortion side there was a determined and singular sense of purpose to stop access to abortion in all cases. It also demonstrated that advocating for a women's right to choose was not going to form a central part of its campaign. This complex and broad-based messaging proved to be a drawback for the AAC from the beginning. However, this did not mean that PLAC and its allies had an easy battle, as despite intensive lobbying not all the political parties supported them. Of the two main parties, Fianna Fáil remained solidly behind the pro-amendment campaign, while Fine Gael were less so. In the 1980s Fine Gael, although centre right on economic issues, was seen as liberal on social issues and several feminists who had been members of the IWLM were now sitting Fine Gael TDs [Members of Parliament]. In February 1983, the Fine Gael Youth conference had rejected the amendment and campaigned against it. According to a report in the *Irish Times*, a speaker at the conference told the delegates that 'the very people who claimed to be pro-life were, in fact, causing abortions through their narrow-minded, insular approach to unmarried pregnant women' (Finlan, 1983: 7). However, Anne Speed, an IWU founder member and right to choose campaigner, pointedly noted that, 'certain Fine Gael 'feminist' TDs were seen with the badge of foetal respectability, SPUC's little feet lapel badge', demonstrating the inadequacies of, as she put it, 'of Irish liberalism' (1992: 94).

As for the other parties, the AAC had gained widespread although not universal nor unqualified support on the left (Horgan, 1983: 4). The Labour Party was then in a coalition Government with Fine Gael, but interestingly, the Minister for Health, Labour's Barry Desmond, who was against the wording for the amendment, would not introduce the Referendum Bill to the Dáil, so it fell to the Minister for Justice, Fine Gael's Michael Noonan, to do so. The Labour Party's Women Council did issue a statement against the amendment and affiliated with the AAC (Field, 2018: 610). On the far left the Worker's Party (WP) made clear its opposition to the amendment. However, it did not affiliate with AAC, even though its women's section pushed for affiliation (610). For the WP,

[the] decision on the matter [of affiliation] may well depend more on their perception of the AAC being tarred with the pro-abortion brush. Such caution may not please their activists (Horgan, 1983: 4).

In the end, the party did not affiliate with the AAC, but did campaign against the amendment. They produced a leaflet in 1983 which called for a no vote, in which, however, abortion was not once mentioned (Muldowney, 2015: 132). The anxieties about being tarred with the pro-abortion brush clearly influenced the WP activities. The Democratic Socialists were much more straightforward in their messaging, going further than most parties in calling for the decriminalisation of abortion. Because of this stance, Jim Kemmy, their only national political representative, became a lightning rod for the pro-amendment side, and lost his seat in the November 1982 General Election, in part because of his pro-choice stance.

Sinn Féin issued a statement opposing the amendment but would not affiliate with the AAC, as it felt that it might alienate its supporters, north and south, with such an open commitment, again signifying a left leaning party with clear anxieties about being seen to have a 'pro-abortion' taint. In October 1981, the party had issued a report entitled *Abortion Ireland*, which laid out its position on the issue. It noted that '10,000 Irish women will have had abortions during 1981' (Sinn Féin, 1981: 1), while its policy document *Women in a New Ireland* acknowledged it was 'an indictment of society' that so many women were forced to seek abortions. However, as a Party it was adamant that it remained 'totally opposed to abortion' (Sinn Féin, 1981: 1). The report laid bare Sinn Féin's ambiguous stance on abortion and the reasons which, they believed, led to Irish women (north and south) to seek abortions in the UK; inadequate family planning laws, lack of general access to contraceptives, and inadequate social welfare for single mothers and their children (1-5). They praised the WRCC because it, they felt, saw abortion as a 'fourth viable option to a pregnant woman after the choices of keeping the child, fostering it or having it adopted', but were disparaging about the IPCC, who, they felt, saw 'abortion as an easy option rather than as a last resort' (4). Sinn Féin's conflicted position was representative of many groups and activists, who, while not pro-choice or in favour of legislating for abortion in Ireland, were opposed to the amendment. These tensions would play out within and outside the AAC, during the campaign, and would in very fundamental ways impact on its ability to deliver an effective anti-amendment message.

The smaller far left parties, among them, the Irish Republican Socialist Movement (IRSM), the Communist Party of Ireland (CPI), the Socialist Worker's Movement (SWM), the People's Democracy (PD) and the Dublin Anarchist Collective were more consistent on their pro-choice message. They were all working with the WRCC but also hoping that the referendum would be an 'opportunity to raise the question of abortion and to promote debate about the right to choose' (Horgan, 1983: 4). Pat Donnelly of the PD criticised the leadership of the anti-amendment campaign for 'their reliance on Protestant Churches and lobbying prominent individuals. We pointed out the need to force the pace in local action committees' (Donnelly, 1983: 5). While, as Donnelly agreed, the AAC

had some success in creating a broad-based opposition to these groups, there was, he argued, an urgent need to build a national mass movement, engaging anti-imperialists, along with trade unions and the working class, which would 'clarify the confused debate about the long term aims of the campaign' (5). As Donnelly (1983: 5) outlined, some activists on the far left saw the anti-amendment campaign as an opportunity to,

to separate Church and State and demand a democratic, secular society (...) and form the broader democratic movement that feminists need for their own demands, for the right to choose and an end to sexual discrimination and repression.

This desire, on the part of the more radical WRCC and its political supporters, to focus in on the question of choice and legalisation for abortion, as well as other class and gender-based rights, demonstrates the complex and multi-faceted messages coming from the wider anti-amendment side.

These complexities, and the difficulties in keeping a broad, umbrella movement together, would become more evident as the anti-amendment campaign intensified in 1983. The WRCC and their supporters faced many obstacles in having their pro-choice position articulated in any anti-amendment public debates, promotional material, or media programmes. The mainstream media, national and local, where they included both sides of the debate, took their lead from the AAC, and for the AAC to get their anti-amendment arguments across, they felt they had to confine the message to the societal, legal, and medical impacts of inserting the amendment into the Constitution. Often the organisers and supporters of AAC had to deny they were pro-abortion or were interested in having abortion decriminalised in Ireland. Responding only to a 'pro-life' amendment with a campaign which contained no message on abortion or choice meant that the 'basic anti-abortion message was left untouched' (Gordon, 1984: 19). The difficulties of treading this line were often evident in interviews with AAC campaigners and affiliated groups. On December 9, 1982, Anne Dempsey, a journalist with the *Evening Herald* reported from the offices of the single mother support and advocacy group, Cherish. On the wall of the office she noted an AAC poster, 'It's life that needs amending, not the Constitution.' (Dempsey, 1982: 19). Cherish were affiliated with the AAC but considered itself an anti-abortion organisation. Its information officer argued that while Cherish offered nondirective pregnancy counselling it was not an abortion referral agency; instead 'women contemplating abortion are invited to stay and explore other options, and, sometimes, they do' (1982: 19). Despite its anti-abortion stance, Cherish was also vehemently anti-amendment:

we think it's a total waste of time (...) It's not going to change the situation, it's not going to alter the numbers of women travelling to Britain for abortions, except perhaps to make them feel more guilty than they're feeling already (Dempsey, 1982: 19).

Like many other women's groups who opposed the amendment, Cherish felt it would be better to direct their energies towards the societal, legal and economic issues which disadvantaged women, that campaigns for wider and affordable access to contraceptives, better allowances for single mothers, access to housing, affordable childcare and better sex education in schools were more important.

Another argument the AAC made was that the amendment would lead to a backlash against rights Irish women had already achieved. On June 25, 1983, at a meeting of the Clonmel AAC Group, reported by the local newspaper, *The Nationalist*, an AAC member, Ann Neary, stated that if the amendment passed 'certain forms of contraception including the coil, most forms of the pill and the morning after pill would be banned' (Anon, 1983: 19). She further stated that referral and family planning clinics would be liable for prosecution and the life of the mother would be threatened. She stressed that she was 'anti-abortion' and argued that 'in legal terms the amendment would be like opening a Pandora's box' (1983: 19). Prominent lawyers such as Senator Mary Robinson took very public anti-amendment stances. By September 1983, Maev Kennedy of the *Irish Times* reported that over 600 lawyers were opposed to the amendment. Most made their arguments on very technical legal points, and they were often at pains to insist that a defeat of the amendment did not mean abortion would be introduced into Ireland. The Lawyers against the Amendment statement argued that

[the] amendment was unnecessary and quoted from Supreme Court cases which they felt dismissed the idea that the Supreme Court would ever rule on abortion (Kennedy, Sept 1, 1983: 6).

Similarly, a group of doctors, who described themselves as 'pro-life and anti-amendment' (Nowlan, 1983: 9) had come together by June 1983. Their main concern was that the amendment would impact on the doctor-patient relationship and

could permit a third party to enter the one-to-one relationship between patient and doctor, with the claim they were acting on behalf of 'the unborn' (Nowlan, June 2, 1983: 9).

In August 1983, a few weeks before the vote, Anne O'Donnell, spokesperson for the AAC, gave an interview to Isobel Conway of *Irish Press*. In the piece a spokesperson for PLAC said that a meeting of the WTCG in March of 1981, where they [the WRCCG] announced 'that it would start a campaign for legalised abortion in Ireland' (Conway, 1983: 10) was the reason it began its campaign to inset the amendment into the Constitution. This was not the full truth of the origins of PLAC, but it served to focus in on its main argument, that their opponents were, for the most part, pro-abortion. Instead of delivering the clear anti amendment, pro-choice message, similar to the pro-amendment, anti-choice clear message that 'a vote for the amendment was a vote against abortion', O'Donnell said that 'it was up to each individual to vote according to their conscience and a vote against the amendment doesn't mean that you are pro-abortion' (Conway, 1983: 10). Apart from the national and local newspapers, the principal forum for national debates on the referendum was RTÉ, where this complex and multi-faceted anti-amendment message was also delivered. Again, and again the legal and medical consequences of inserting the amendment into the constructional were used by those supporting the AAC position. As RTÉ producer, David Blake Knox, who worked on the referendum campaign programmes, later said,

the AAC tended to nominate a succession of bright young lawyers to appear on TV and radio. Many of the reservations they raised about the implications of the amendment have since been vindicated. But they often expressed these concerns in legalistic terms that did not seem to connect with the wider Irish public (Blake Knox, 2018: 28).

## DIVISIONS IN THE ANTI-AMENDMENT CAMPAIGN

Throughout 1983, therefore, the mainstream debate on the amendment centred on the right to life of the unborn from the pro-amendment side and the various legal, societal, and medical impacts of inserting the amendment into the Constitution on the anti-amendment side. As late as August 1983, the AAC was still making these complicated arguments, and taking no stance on the issue of choice, or indeed, the need for legislation to decriminalise abortion. On August 15 they launched their official referendum campaign and announced their slogan and leaflet, *This Amendment Could Kill Women* (AAC, 1983). All the points which had formed part of their ongoing campaign were included. It argued that the amendment was not about keeping abortion out of Ireland, as Irish women could already access abortion in England; that it could stop women accessing abortion in England, as anyone could take out a High Court injunction to stop women leaving the country, thereby driving women back to seeking 'back street' abortions. It also stated that 'abortion was not the problem, the amendment was not the answer' (AAC, 1983: 3), again trying to remove abortion from the centre of discussion. The main problems for Irish women, as contained in previous anti-amendment propaganda, were reiterated; the social and economic conditions of many women in Ireland, bad housing, inadequate social welfare payments, lack of childcare, and the stigma of illegitimacy, which inserting the amendment into the Constitution would do nothing to change. Vote No, it argued, if you believe the life of a woman was more important than a fertilised egg, that women should have access to safe contraception, that the physical and mental health of rape victims mattered, that the views of one denomination should not be enshrined in the Constitution, and that existing adverse societal conditions should be solved rather than brushed under the carpet.

This official campaign leaflet reflects the marginalisation of the voices of more radical feminists who were in favour of the right to choose and the decriminalisation of abortion, especially those who were members of the WRCC. This marginalisation had been ongoing from the formation of the AAC, and as Gordon noted, even when it became obvious that the amendment would pass, the AAC National Steering Committee, 'dominated by liberals', still did not wish to engage with the more radical right to choose approach (Gordon, 1984: 20). Even the use of the word abortion was rare, with the media and many AAC activists preferring to use the term 'substantive issue' rather than abortion (Kennedy, 2018: 17). The more radical WRCC members, many already involved in left wing, radical, socialist groups, had wished to build a popular campaign which did not depend on legal, medical, or constitutional arguments. They had felt that when the referendum was proposed it was,

a godsend to the women's movement in Ireland as (...) a Women's Right to Choose campaign could never in ten years have generated the amount of discussion about abortion this proposal will do in ten months (Gordon, 1982: 5).

According to Gordon the aim was to build up a grassroots campaign, set up community action groups, and ally with other groups who were campaigning for the rights of marginalised sections of Irish society. However, they faced difficulties in persuading even those of the left of the strength of their arguments. Except for a few of the smaller parties, those on the left who supported the anti-amendment campaign continued to equivocate when making arguments for the right to choose, and, particularly, for the decriminalisation of abortion.

Activists in the WRCC campaign were to remain disappointed with, and marginalised by, the anti-amendment arguments used by the AAC. Most anti-amendment groups and activists were terrified of being tarred with the 'pro-abortion' brush, and the 'right to choose' argument was seen as problematic in persuading a conservative Irish electorate to reject the amendment. For many, anti-abortion attitudes were so prevalent that even opposing the amendment was considered radical (Gordan cited in Smyth, 2005: 67). Despite this some WRCC members did try and force the issue among campaigning groups. For instance, several lesbian feminists, members of both WRCC and Liberation for Irish Lesbians (LIL) sought a declaration of support for the 'right to choose' from the National Gay Federation (NGF), the main Lesbian and Gay campaigning group. LIL members, Joni Crone and Majella Breen, wanted the NGF to support the WRCC, and were determined to force a debate in the NGF about women's right to choose and the decriminalisation of abortion. They argued that it was 'women, lesbians, lesbian mothers, lesbians who have been raped, who have had abortions, who have needed the right to choose' (McDonagh, 2020: 316). However, at the time the membership of the NGF was overwhelmingly male, and more concerned with the campaign to decriminalise homosexuality. Despite support for the WRCC position from some members, it was eventually decided that it served the reputation of the NGF best to affiliate with the more moderate AAC, rather than let gay rights be seen to be associated with abortion. This would risk, they felt, damaging 'the public's' willingness to give a fair hearing to the gay rights cause' (318). A 'Gays against the Amendment' (G.A.A.) leaflet produced rehearsed all the AAC talking points, emphasising that 'whether you agree with the Right to Choose or not, the importance of voting 'NO' is overwhelming' (Gays against the Amendment, 1983: 1).

The NGF was not the only organisation to experience tensions and splits over the strategies on the anti-amendment side. The arguments against the amendment lacked the clarity of their opponents, the attempt to weld a consensus between anti-amendment and often solidly anti-abortion groups with pro-choice feminist groups and allies inevitably failed. Over the course of the campaign these internal tensions finally led, as Riddick (2002: 268) wrote to a 'number of important body blows (...) [and] the group split internally'. The AAC distanced itself from 'The Right to Choose', and the non-directive Irish Pregnancy Counselling Centre (IPCC) collapsed due to financial pressure in July 1983. This split between the WRCC and the WRCC was, in many ways, more about strategy than ideology. Both were in favour of a woman's right to choose and differed only on the timing and extent of the abortion rights for which they could campaign. The WRCC could, in a pragmatic way, work within the broad church of the AAC, despite the public anti-amendment *and* anti-abortion pronouncements of many of its (AAC) supporters. Most of the AAC arguments on better living conditions for women's and children, access to contraceptives and battling the stigmatisation of single mothers and their children, fit with the WRCC's other ongoing campaigns. The WRCC tried to build a grassroots movement to counteract the dominance of the anti-abortion messaging from the right. Unlike the more media focused AAC, they concentrated on working with local action groups, holding public meetings, handing out leaflets and providing an 'anti amendment presence' on door-to-door canvassing in local areas (Gordon, 1984: 19). However, despite all the grassroots work of the WRCC, in the final weeks of the campaign, the right to choose arguments were absolutely side-lined and the AAC relied almost completely on societal, legal, and medical points.

Although the AAC took a tactical stance of bypassing the central issue of abortion, many in the media could not tell, or cared to tell, the difference between the WRCC and the WRCC, and often mistook or conflated one for the other, and indeed both for the AAC. This meant that the AAC and the WRCC were often tarred with the 'radical feminist, pro-abortion' brush, which suited the pro-amendment groups. On August 21, 1983, just over two weeks before the vote on the amendment, the biggest selling national Sunday newspaper, the *Sunday Independent*, carried his weekly reflection piece by Michael Cleary, a Catholic priest in the Dublin Diocese. On page nine he outlined a timeline, as he understood it, of the radical feminist campaigns to have 'abortion legalised in this country'; 'in 1975 a group of radical feminists called Irishwomen United was founded. From the beginning they were openly pro-abortion' (Cleary, 1983: 9). He then connected the IWU and its former members, from when it dissolved in 1977, to the Contraceptive Action Programme (CAP), the Rape Crisis Centre (RCC), and the Women's Right to Choose Group (WRCC). He reminded his readers that,

Ann (*sic*) Connolly is a director of the Well Woman Centre and a founder member of the Women's Right to Choose and Rape Crisis Centre. Ann (*sic*) O'Donnell became director of the RCC and Spokesperson for the Anti-Amendment campaign while Ann (*sic*) Speed is in C.A.P and Women's Right to Choose' (1983: 9).

He drew connections between these people, groups and organisations, and the AAC campaign whom, he wrote, 'launched their campaign with a multiplicity of reasons, but no mention of their real and ultimate goal—abortion' (1983: 9). Cleary was not the only pro-amendment campaigner who insisted on connecting the AAC campaign opposing the 8th Amendment to an aim of decriminalising abortion in Ireland, an aim the AAC did not include in any of its literature, and indeed, an aim which many of its members did not at all support. To Cleary they were fudging on their goal of an Ireland where unrestricted access to abortion was available, something he wanted his

readers to fully appreciate, so it served his purpose to tar all anti-amendment groups as pro-abortion. The impact of Cleary, PLAC and other pro amendment activists became clear on September 7, when just over 56% of the electorate voted by a majority of 66.9% to 33.10% to insert the 8th amendment into the Irish Constitution.

## CONCLUSION

After the referendum, journalist and IWLM founder, Nell McCafferty, wrote,

the debate was not really about abortion - it was about woman's role and woman's place, and we were shown clearly what that was. It was to be invisible (McCafferty in Bourke 2002: 269-271).

The defeat of the anti-amendment campaign, although expected, was a severe blow for feminists and women's groups in Ireland. Demoralised, battered, bruised, and split, the Irish women's movement underwent a period of dissolution and reassessment. After the result, the issue of the right to choose and abortion was dropped by much of the media and the AAC faded away. Both WRCG and the WRCC soon disbanded, although some did consider that achieving a 30% vote against the amendment in the face of 'social hysteria and the social might of Fianna Fáil' was a measure of some success (Speed, 1992: 25). Over 40% of the electorate failed to vote, suggesting that many were not convinced by either the anti-abortion moral argument or by the complicated societal and legal AAC arguments. Perhaps too the fact that the Irish people had spent months discussing women's reproductive rights, even if they voted to deny them those rights, could, in some ways be seen as a positive result. The right won, the 8th would be inserted into the Constitution, but open, public conversations on women's access to contraceptives, on women's right to choose, on the fact that Irish women were travelling, in growing numbers to England to seek terminations, were now possible. There can be seen here, a small start to the rejection of the ideologies of morality, respectability, secrecy, and shame which had dominated women bodies and lives for so long.

Nevertheless, Irish feminist groups were frustrated by the mistakes made during the campaign and the negative impact it would have on women's lives. There was a retreat from abortion activism even among the radicals, who now concentrated on socio-economic issues which blighted women's lives—campaigns for better supports for single mothers, for better housing for families, better access to contraceptives, campaigns against violence against women, and as the decade progressed, collaborating with other equality groups on issues such as the decriminalisation of homosexuality, AIDS activism, and campaigns to legalise divorce etc. On the question of abortion, most feminists now focused on attempts to make information on travel and information on abortion in England available to the many women who needed it, and those who warned that inserting the 8th Amendment into the Constitution was but a first step for the right were proved correct. The Society for Protection of the Unborn Child (SPUC) began to take cases against clinics, organisations and individuals who provided non-directive pregnancy information, i.e., information on how to travel and access abortion service in the UK. This resulted in many of those who had campaigned against the 8th coming together to form a 'defend the clinics' campaign. This particular campaign would be one of many fights for the right of Irish women access to non-directive pregnancy information and the right to travel for an abortion in coming years. Goretta Horgan, as a former national organiser of the AAC, admitted, years later, that the AAC campaign made a

tactical mistake to have concentrated so much on stopping the referendum (...) And the fact that we had a range of sometimes complicated arguments against the amendment, weakened us (Ferriter, 2012: 471).

They should and could, she said, 'have been more audacious' (471). Over the next decades' Irish women's groups and other pro-choice activists began the long journey to repeal the 8th. While the defeat in 1983 was difficult for feminists, it did, however haltingly and however marginalised initially, foster feminist conversations about women's reproductive rights and provided the language about women's right to choose, which was to be so useful in the many ensuing campaigns for repeal. Feminists may have lost this battle, but women's rights, including access to contraceptives, right to choose, and access to abortion, as issues, were now permanently on the table. Pandora's Box had, indeed, been opened.

On the other side, the right saw the amendment as a first blow in an ongoing ideological battle to enshrine Catholic social thinking in sex education, contraception, reproduction, and the idea of the family, and to see off the liberalisation of Irish society. For them, women's reproductive bodies, the issue of contraceptives, sex and sexuality should always be considered from a moral perspective in a Catholic, abortion free, Ireland. They had won this battle, but there would be more battlelines drawn on issues such as divorce, homosexuality, sex education, contraception, while time and again, the right to choose and access to abortion would also be returned to; this would continue into the coming decades. It would take many years, and many campaigns, but finally, the 8th was removed from the Constitution in 2018, on foot of a female led, feminist, grass roots campaign which fore-fronted

the idea of access to full reproductive rights. This, perhaps, was one of the hardest lessons learned from the defeat of 1983 that a simple, feminist, message, 'Our Bodies, Our Choice' was, in the end, the most effective. In the Irish context, the journey from the ideologies of Catholic morality and conservative respectability which had dominated women lives and women's bodies is best encapsulated in the cry which echoed as part of so many pro-choice campaigns post 1983, down to Repeal in 2018—'Not the Church, Not the State—Women will control their Fate'. Abortion was finally, for the majority, no longer a moral issue, but had become a human rights and healthcare issue.

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## A Tale of Two Referendums: A Comparative Study of the Anti-Amendment Campaign and Together for Yes

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### ABSTRACT

The 8th Amendment, Ireland's constitutional ban on abortion, may be viewed as a prism through which shifting ideas about women and sexuality in Irish society can be understood. How did Ireland move from being the first country in the world to offer constitutional protection to the 'unborn', to a country that enthusiastically voted to support abortion as a legitimate choice in pregnancy at a time when, internationally, the tide appears to be shifting towards more restrictive abortion regimes? This article offers a comparative study of two referendum campaigns; the feminist-led Anti-Amendment Campaign that organised to oppose the introduction of the amendment in 1983; and Together for Yes, the 2018 campaign to remove the amendment. Focusing on these two campaigns will allow an exploration of how over the course of 35 years' abortion moved from being a one dimensional 'moral' issue to a multi-dimensional political and social question that reflected changing attitudes to sexuality and the role of women in public life. This article examines the political compromises the campaigns made, highlighting the lessons that can be taken forward in order to achieve a more emancipatory discourse of reproductive agency both in Ireland and internationally.

**Keywords:** abortion, feminism, activism political campaigns, reproductive agency, social movement

### INTRODUCTION

The text of the Irish constitution may only be changed by a referendum of the people. In 1983, a small group of conservative organisations and individuals managed to persuade the political establishment to hold a referendum to insert a clause into the Irish Constitution establishing the 'equal right to life' of the 'mother' or pregnant woman and the 'unborn' or foetus. For thirty-five years, the forty-three words that comprised Article 40.3.3<sup>o</sup>, known as the 8th Amendment, would cast a painful shadow over the lives of women and pregnant people living in Ireland. Resistance to the 8th Amendment would shape the struggle for abortion rights in Ireland, culminating in the successful May 2018 referendum which saw its deletion from the Constitution and the legalisation of abortion on request (before 12 weeks) six months later, on 1st January 2019. Over the course of three decades, abortion activists in Ireland have found themselves in a position where they have been forced to adapt their organising to the demands of the referendum campaign (see de Londras, 2020a: 154; Reidy, 2019: 21-22). In 1983, they failed to resist the insertion of the 8th Amendment into the constitution. In 1992, they organised and campaigned around three simultaneous referenda: the right to access abortion information; the right to travel abroad to access abortion services; and to reverse the Supreme Court decision in the X-case<sup>1</sup> permitting abortion where a pregnant woman's life was at risk from suicide. They managed to achieve the desired result, winning on travel and information and preventing further restrictions on abortion access. In 2002, abortion rights activists once again successfully campaigned to protect the X-case ruling by resisting a further attempt to restrict suicide as a ground for an abortion. Furthermore, multiple 'EU-related referenda had also developed an "abortion-slant"', with anti-choice organisers

<sup>1</sup> In the 1992 Supreme Court judgment in the X-case, the four majority judges attempted to reconcile the rights of the 'mother and the unborn', agreeing that, if there was a serious threat to the life of the pregnant woman, including the risk of suicide, abortion was permissible. In the words of Chief Justice, Mr Justice Finlay, 'If it is established as a matter of probability that there is a real and substantial risk to the life of the mother, which can only be avoided by the termination of her pregnancy, such termination is permissible, having regard to the true interpretation of Article 40.3.3.' See X, and McDonagh, S. (1992): 60.

arguing that amendments to the treaties of the European Union ... would expand EU competencies in a way that “endangered” Ireland’s “pro-life” constitution’ (de Londras, 2020b: 131). Hence, pro-choice activists in Ireland became necessarily adept at tailoring their activism to the specific demands of referendum campaigning.

The history of pro-choice<sup>2</sup> activism in Ireland could largely be characterised as reactive<sup>3</sup>. I am not arguing that campaigners were conservative in their approach, but rather that Irish society was dominated by an anti-abortion status quo well into the twenty-first century despite a growing social liberalisation on sexual issues. When not mobilising to resist attempts to further restrict abortion access in Ireland, pro-choice activists concentrated their efforts on supporting women attempting to access abortion services abroad, and, more recently, helping women obtain (illegal) early medical abortions (see Duffy, 2020: 73-75)<sup>4</sup>. This changed in 2012, the twentieth anniversary of the X-case, when activists began to proactively organise to change Irish abortion law, firstly by attempting to implement X-case legislation and later in 2013 with a campaign to remove the constitutional prohibition on abortion. To achieve this, a referendum was required and feminists and activists who supported the demand for ‘free, safe and legal abortion’ came under internal and external pressure to temper demands and moderate their expectations to win a referendum campaign once again.

This article offers a comparative study of feminist interventions into two referendum campaigns: The Anti-Amendment Campaign that organised to oppose the introduction of the amendment in 1983, and Together for Yes, the 2018 campaign to remove the amendment and legalise abortion in Ireland. It should be noted that this analysis, in part, emerges from my own position as a pro-choice abortion activist in Ireland for over two decades, and from my direct involvement in the Together for Yes Campaign<sup>5</sup>. I utilise, where possible, academic and other accounts by the activists involved in these campaigns in order to develop an analysis that emerges from the perspective of what the legal academic/activist Fiona de Londras (2021a: 126-7) terms

the strange insider/outsider position that both enforces an ethical obligation for critical self-reflection and potentially blinkers one from some important insights.

Focusing on two different referendum campaigns allows us to understand how over the course of thirty-five years’ abortion in Ireland moved from being a one dimensional ‘moral’ issue to a complex and multi-dimensional political, social and cultural question that reflected changing social attitudes to sex, sexuality, the body, and role of women in public and private life. It will also allow us to understand how the particular demands of a referendum campaign created external and internal pressures on pro-choice activists to modify feminist demands to ensure that their arguments were palatable to a broad electorate who ultimately got to determine the extent of women’s and pregnant people’s bodily autonomy. The article will conclude by examining the political compromises that both campaigns felt compelled to make, and the lessons that feminists can take forward from this if we are to achieve a more emancipatory discourse of reproductive agency both in Ireland and internationally.

## THE 1983 REFERENDUM

By the early 1970s, the impact of the women’s movement on Irish society was impossible to ignore. Women began organising to demand and achieve greater economic, social and political independence; they were beginning to pursue education for longer, assumed occupations traditionally understood to be the preserve of men, socialised in pubs, played sports and acquired growing economic independence, allowing them to rewrite the cultural conventions of what was considered appropriate behaviour for women (Inglis, 2003: 140-1). The initial focus of the late twentieth century women’s movement was undoing much of the discriminatory legislation that was introduced by the post-independent state and by the end of the decade the movement had achieved significant

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<sup>2</sup> The use of the term ‘pro-choice’ by abortion rights activists in Ireland has a long and complicated history. As I will argue in this article many activists campaigning for greater access to abortion in the hostile political and cultural climate of Ireland in the 1980s and 1990s were often reluctant to use the term to describe their activism for fear of being labelled extremist. I have used the term in this article as a widely accepted term to describe those who support the legalisation of abortion while recognising that many of those involved in the movement especially in the early 1980s and 1990s would not have used the phrase to describe themselves or their activism.

<sup>3</sup> One key exception to this was in June 2001 when a number of Irish abortion activists collaborated with the Dutch NGO Women on Waves to bring a ship with an on-board medical treatment room with the aim of offering medical abortions. For an account see Women on Waves (2001) and for a statement by the Irish activists involved see Women on Waves Ireland (2001).

<sup>4</sup> Medical abortion pills were available online for women living in the Republic of Ireland and Northern Ireland from Women on Web <https://www.womenonweb.org/> Women Help Women <https://womenhelp.org>. For a comprehensive discussion of the use of the abortion pill in Ireland to self-induce an abortion see Sheldon (2016).

<sup>5</sup> I was co-founder with Ailbhe Smyth of the Coalition to Repeal the Eighth Amendment and served as a member of the TFY executive and I was also the head of research for the TFY campaign.

gains, particularly around work and pay inequality (see Connolly, 2003: 89-110). However, the effects of these changes were far more profound than simply legislative: women began to reimagine not only the country they lived in, but, crucially, the way they understood themselves. As Tom Inglis (2003: 140) writes:

The development of women's self-awareness and confidence was something that was happening all over Ireland in the 1970s and 1980s. Irish women were struggling to break free from the language of Catholic Church teaching with its emphasis on motherhood and self-denial and to find a new language and way of thinking, writing and talking about themselves. Women began to form groups, to counsel and advise themselves and to set up their own education courses. They were beginning to reflect critically about themselves, and the families, communities and society in which they lived.

However, as we will see, this transformation was neither seamless nor uncontested and many men, and some women, challenged, resisted and resented women's struggle for equality.

In their 1971 manifesto, *Chains or Changes? The Civil Wrongs of Irish Women*, the group Irish Women United identified a range of inequalities that beset Irish women. It called for unmarried and separated women to be entitled to state benefits; for women in the civil service to be permitted to retain their jobs after marriage; for equal pay for equal work; for reform of family law to protect women, particularly in cases of marital breakdown; for an end to the stigmatisation of women and their children who were born outside of marriage. However, it is noteworthy that only after 32 pages, towards the very end of the manifesto, the absence of childcare facilities and access to contraception is mentioned under the heading 'Incidental Facts'. In her reflections on the period, feminist activist Ailbhe Smyth noted that:

[i]n retrospect, it seems ironic that a section dealing with such issues as the absence of childcare and contraception should have been entitled 'Incidental Facts' (...) The focus on the nuclear family, on liberal themes such as equal rights and educational opportunities, the low-key treatment of contraception and the absence of any reference to abortion, the lack of any analysis of sexuality or of sexual politics, these all seem surprising now (...) (1993: 252-3).

Over the course of the 1970s however, contraception would emerge as a key battleground in the struggle for equality and women's organisations were at the forefront of the campaign for legalisation. By the end of the decade, legal access to contraception was achieved albeit for what the legislation termed '*bona fide* family planning'. To access contraception, the highly restrictive, and largely unworkable act, required the individual to have a medical prescription and it was then dispensed on the good faith basis that it was only for 'family planning' reasons. Charles Haughey, the then Minister for Health, admitted from the outset that the purpose of the Bill was not to increase the availability of contraception but to restrict it, declaring the bill to be providing 'an Irish solution to an Irish problem' (Haughey, 1979). Despite consultation with the hierarchy of Irish Catholic in the run-up to the bill's drafting, the reaffirmation of the ban on abortifacients, and the inclusion of a conscience-clause for doctors and pharmacists who opposed artificial contraception, conservative forces within the State still interpreted the legislation as a major defeat. They were not wrong: arguably, it did represent the first substantial break, at least in the area of social legislation, between the Irish State and teachings of the Catholic Church on sexuality and the family, but it also led to the emergence of an alliance between Catholic and conservative groups with abortion as their core campaigning issue<sup>6</sup>.

At first, it may appear difficult to understand the motivation behind the Catholic, conservative right wing's desire to introduce a so-called 'pro-life' amendment into the Irish Constitution. Firstly, abortion was illegal in all circumstances in Ireland, and had been since the 1861 Offences Against the Person Act, which was incorporated into the legal apparatus of Irish State following independence in 1922. The Health (Family Planning) Act of 1979 also patently reasserted that sections 58 and 59 of the 1861 Act do, in fact, constitute abortion law in Ireland. Secondly, while abortion laws were being liberalised in Europe and the United States, there was no significant campaign evident in Ireland to legalise abortion (see Smyth, 2002). The Women's Right to Choose Group (WRCG), one of the first groups to openly campaign for access to abortion, had begun meeting in 1979 but abortion politics was mainly confined to the ideological left and was considered relatively marginal within the broader women's movement. However, the agenda of the conservative movement from the outset was more political and ideologically ambitious than simply reinforcing Ireland's abortion ban; contraception and abortion were understood from the beginning as simply 'one front in a wider religious war' (O'Toole, 2014). The conservative movement's key political agenda was always to maintain the status quo and prevent what they understood to be as the imminent threat of secularisation and liberalisation to Irish society.

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<sup>6</sup> For an overview of the debate around the legalisation of contraception in Ireland in the 1970s, see Ferriter (2009: 360-406) and Hug (1999: 76-139).

By the late 1970s, conservative forces had already attempted to mobilise on a variety of issues to manage and contain the political and social instability of the Irish State at the beginning of the 1980s. These efforts, and the subsequent ‘pro-life’ campaign, were part of a deliberate countermovement against progressive social change in Irish society more generally, and specifically, against the modest gains of the women’s movement (see Connolly, 2003: 156-159; O’Reilly, 1992: 10-15). Ideologically, it may be understood in terms of what Susan Faludi has characterised as a ‘backlash’<sup>7</sup>. The conservative right emerged as ‘a defensive reaction to the process of change’ but achieved momentum during the 1970s, thereby transforming themselves into an ‘offensive force’ demanding and securing support from major political parties (Barry, 1992: 113). So, for example, in 1976 they attempted to organise against the formation of a multi-denominational primary school in the affluent Dalkey suburb of Dublin, arguing that it was a fundamental challenge to the Catholic dominance of the Irish Education system. Later, a group calling themselves the ‘League of Decency’ organised a series of public campaigns against ‘immoral’ TV shows and family planning clinics<sup>8</sup>. They even opposed a small state grant that was given to the Dublin Rape Crisis Centre. All of these initiatives failed to receive any meaningful support; it was only around the issue of abortion that they managed to gain any traction.

Members of the religious and conservative right had long feared that abortion might become legal in Ireland at some point in the future. Speaking at the founding conference of the Irish ‘pro-life’ movement in January 1981, leading activist Denis Barrow argued that while it was ‘unlikely that such an action would succeed at the present time ... it could conceivably succeed three or four or seven years hence’ (cited in Heskett, 1990: 3). These concerns were aggravated by Ireland’s decision to join the EEC (now EU) in 1973 and, that same year, most particularly by the United States’ Supreme Court decision in *Roe v. Wade*<sup>9</sup> to legalise abortion. The source of their concern lay in the legal reasoning behind the case: the US Supreme Court stated that a constitutional right of privacy was ‘broad enough to encompass a woman’s decision whether or not to terminate her pregnancy’, a ruling that was an extension of an earlier 1965 US Supreme Court privacy ruling on the right to contraception (Sanger, 2017: 5). Irish conservative circles began to fear that at some point, a case would arise in the Irish Supreme Court where the Court would decide that the right to privacy in marital affairs not only included a right to contraception—as the Court ruled in the 1974 *McGee*<sup>10</sup> case—but a right to abortion as well. It was determined that what was required was a provision in the constitution that would ban abortion outright, making it impossible for the Supreme Court to ever interpret a right to abortion within the Irish Constitution (see Lord, 2015: 93-96).

In April 1981, following several months of discussions among religious and conservative groups<sup>11</sup>, the Pro-Life Amendment Campaign (PLAC) was established with the aim of lobbying political support to hold a referendum to insert a ‘pro-life’ clause into the Constitution, a task they proved to be seriously adept at. In November 1982, the first draft of the amendment was prepared by a centre-right Fianna Fáil government under the leadership of Charles Haughey. Soon after, Fianna Fáil lost power but this did little to slow the advancement of PLAC’s support. In February 1983, a coalition government led by the other leading centre-right Irish political party, Fine Gael, announced its intention to hold a referendum in September 1983 using the wording advocated for by PLAC.

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<sup>7</sup> Writing about the cultural war against women in the USA in the 1980s, Susan Faludi characterised ‘backlash’ as ‘an attempt to retract the handful of small and hard-won victories that the feminist movement did manage to win for women. This counterassault is largely insidious: in a kind of pop-culture version of the Big Lie, it stands the truth boldly on its head and proclaims that the very steps that have elevated women’s position have actually led to their downfall’ (Faludi, 1991: 9-10). O’Reilly (1992) also uses the term ‘backlash’ in her analysis of the rise of the anti-abortion movement in Ireland.

<sup>8</sup> League of Decency is an Irish off-shoot of the National [or Catholic] Legion of Decency established in United States in 1934. One of their first public actions in Ireland was to write to Taoiseach [Prime Minister] Éamon de Valera in September 1997 requesting an interview: ‘This letter is written as a despairing cry from a frustrated body of Catholics to clean-up on indecent books, picture-post cards, films etc. . . . we have done almost all we can—we are still storming heaven—within the law to combat the imported press and film evils, but are being thwarted by the very law itself and so find ourselves foiled to remove sources of scandal from public display’. (Ferriter, 2009: 307-308). They continued to be active in the 1970s and 1980s (see Ferriter, 2009: 465, 470).

<sup>9</sup> *Roe v. Wade*, was the 1973 U.S. Supreme Court decision that legalised abortion in the United States. The Court ruled that the Constitution of the United States protects a pregnant woman’s freedom to choose to have an abortion without excessive government restriction. See *Roe v. Wade*, 410 U.S. 113 (1973).

<sup>10</sup> *McGee v. The Attorney General* [1974] IR 284. The McGee case did lead to the limited legalisation of contraception although it would be a further six years before legislation was introduced.

<sup>11</sup> Founding members of PLAC include Congress of Catholic Secondary School Parents’ Association; Irish Catholic Doctors Guild; Council of Social Concern; Guild of Catholic Nurses; Guild of Catholic Pharmacy; Catholic Young Men’s Society; St. Thomas More Society; Responsible Society; Society for the Protection of Unborn Children; Irish pro-Life Movement; National Association of the Ovulation Method – Ireland; St Joseph’s Young Priests’ Society; and the Christian Brothers School Parents’ Federation. The Irish Association of Lawyers for the Defence of the Unborn affiliated later in May 1981. The Irish Nurses Association, Muintir na Tíre, Pax Christi and Christian Life Communities conveyed messages of support. See Heskett (1990: 1-37); O’Reilly (1992: 55-58, 62-65).

## The Anti-Amendment Campaign

When the Women's Right to Choose Group (WRCG) began meeting in 1979, abortion was not a political issue in Ireland, nor was it understood or prioritised as a critical feminist issue in the way that it had been by the 1970s women's movements in Europe and North America. While abortion was discussed and debated in some of left-wing sections of the movement, it was decided tactically, amid the political struggle around contraception at the time, that to also begin advocating for abortion would risk a conflation of abortion and contraception (see Connolly and O'Toole, 2005: 68-70). The reality of abortion in Ireland was rarely discussed despite it being a real, if unacknowledged, aspect of women's lives. The legalisation of abortion in Britain following the introduction of the 1967 Abortion Act, saw Irish women silently, and often covertly, travel in their thousands every year to access terminations abroad, a fact largely and conveniently ignored by the campaign to introduce the anti-abortion constitutional amendment. Between 1968 and 1983, at least 30,560<sup>12</sup> Irish women travelled to Britain to obtain an abortion with numbers climbing steadily year by year. These official figures of women travelling for abortions were published annually (by the Department of Health in England and Wales) and subsequently reported every year in Irish newspapers without comment.

In 1979, the WRCG began politically agitating around access to abortion, holding public meetings, seminars, writing articles and speaking to the media. The following year, they began offering support to women who needed referrals to British abortion clinics through the Irish Pregnancy Counselling Centre<sup>13</sup>. In 1981, they published a pamphlet, *Abortion: A Choice for Irish Women*, advocating for access to abortion as a necessary choice for women. This pamphlet became one of few sources of abortion information available in Ireland as abortion information was tightly regulated and subject to the 1967 Censorship of Publications Act (see Kennedy, 2020: 118-122). Shortly before the launch of PLAC, WRCG held a packed meeting in Liberty Hall, Dublin. The meeting was invaded by the anti-abortion group SPUC<sup>14</sup> who shouted verbal abuse at the speakers and attendees. Activist and founding member of the WRCG, Mary Gordan, wrote of the 'unnerving' nature of the experience for the group:

It made us realise that we were not going to be allowed to continue to operate unhindered. SPUC had been set up in Ireland in June '80 ... but until the Liberty Hall meeting, we had not actually experienced them in operation. We had tended to reject them as arch-[C]atholic fanatics, but it was now becoming clear that they were very well organized and that their message had strong appeal. They were using the existence of our group to create the illusion of a serious threat against which the up-to now latent anti-abortionism of Irish society need to be mobilized (Gordan, 1984: 11).

The launch, a month later, of PLAC and the willingness with which Irish politicians appeared to acquiesce to their demand for a referendum took feminist activists by surprise and forced them into a reactive position from which arguably they never managed to escape.

From the beginning, one of the key strategic debates among feminists was how PLAC should be opposed: should it be opposed on the basis of the WRCG's pro-abortion position, or should a more 'liberal', broad-based anti-amendment campaign be established? Activists initially proposed setting up a Women's Right to Choose Campaign, which would also be open to men, to organise in opposition to PLAC, but after several months of internal discussions and debate others began to argue for a more broad-based campaign approach that would oppose PLAC on a less radical basis and create an opportunity to draw in a wider layer of people. Reflecting on the debates from this time, Mary Gordon, a founding member of the WRCG and a key activist from the period, argues that these positions were unnecessary and damaging to the campaign from the beginning:

Looking back ... it is now obvious that the decision did not have to be an either/or one. A broad-based anti-amendment organisation was necessary to oppose PLAC, and the WRCG were correct when they assessed that the onus was on us to set one up. But the existence of a broad-based liberal campaign did not preclude independent right to choose opposition to the amendment, and so the split that occurred seems, in retrospect, to have been unnecessary and unfortunate (1984: 14).

<sup>12</sup> This figure is calculated from public anonymous data collected by the UK Department of Health Statistics and it refers to women resident in Ireland who travelled to both England and Wales to access abortion services. It is widely accepted that this figure is an underestimation as it does not include women who travelled to Scotland or to other European Countries. The figure does not include women who did not disclose an Irish address to clinics/hospitals in England and Wales, which, according to clinics such as BPAS, was something that women frequently did to protect their confidentiality or to reduce costs by avoiding the mandatory overnight stay that clinics required of non-resident women.

<sup>13</sup> For a fuller discussion of this period, see activist Ruth Riddick's pamphlet (4-6).

<sup>14</sup> SPUC: Society for the Protection of Unborn Children, an offshoot of the British organisation of the same name, was a radical anti-abortion group that operated on the frontlines of abortion campaigning in Ireland for many years. Many of their members were active in PLAC though not, it appears, at a leadership level.

Following Taoiseach [Prime Minister] Charles Haughey's announcement in the Spring of 1982 that he intended to call a referendum based on a version of PLAC's wording forced a decision<sup>15</sup>. In April 1982, the Anti-Amendment Campaign (AAC) was established, with a campaign name, the five-point basis of opposition to the amendment and the nature of the campaign itself—a broad front to which organisations and individuals could affiliate—all agreed over the course of two meetings. The pro-abortion arguments advocated for by the WRCG were marginalised in favour of a more centralist or liberal approach. The AAC's position on the amendment was encapsulated within the following five-point platform:

1. The proposed amendment would do nothing to solve the problem of unwanted pregnancies in Ireland.
2. The amendment would allow for no exception even in cases where pregnancy severely threatens a woman's health or where pregnancy results from rape or incest.
3. The amendment seeks to enshrine in the Constitution the teaching of one religious' domination. Leaders of Protestant Churches and the Jewish Community have expressed grave reservations about the matter.
4. The proposed amendment will impede further public discussion and possible legislation on abortion.
5. At a time of severe unemployment, when one third of the population is living on or below the poverty line, the proposed amendment is an irresponsible waste of public funds<sup>16</sup>.

The AAC would later refine their focus towards points one, three, and five. Points two and four increasingly came to be viewed as too radical and became a source of heated debate and friction over the course of the campaign (see Gordan, 1984: 14-17; Heskett, 1990: 85-89). Certainly, in the early stages of the campaign, the AAC appeared determined to emphasise the religious and sectarian nature of the amendment and downplay the question of abortion itself. For example, in a letter to *The Irish Times*, Anne O'Donnell, from the AAC's steering committee, argued, 'The Roman Catholic hierarchy will have to listen to those who do not share their views on the proposed constitutional amendment if they truly believe in ecumenicism or pluralism,' and went on to emphasise the Protestant Churches' opposition to the amendment (O'Donnell, 1982). This argument failed to gain significant traction and, in an attempt to refocus attention on women, the campaign's central tenet shifted to arguing that the amendment would endanger women's lives (health was rarely mentioned). Although, as we will see, women would lose their lives because of the 8th Amendment, the argument simply did not carry enough weight at that time and was constantly being subsumed into moral and legal-medical debates on the wording of the amendment<sup>17</sup>.

Both sides were debating the necessity of an anti-abortion amendment in a country where abortion was already illegal, and where there was little, if any, debate on the issue of abortion itself and why it is necessary that women have access to abortion<sup>18</sup>. Indeed, so taboo was the subject that even the word 'abortion' was largely absent from the discussion with both sides employing the term 'the substantive issue' instead of the word abortion (see Cacciaguidi-Fahy, 2005: 141-3). Activists working in the AAC also had little experience talking about abortion. The academic, Pauline Jackson, an activist with AAC at the time, writes of the period:

Most women had never discussed abortion in public—indeed, not outside an intimate circle of friends! None knew how to make a speech on the subject. None of the left-wing political parties would agree at first to join the campaign. It seemed for a time that every official legitimate political faction was going to support an amendment to the constitution to 'give an absolute right to life of the foetus' (cited in Connolly, 2003: 164).

On the ground, campaigners were met with open hostility and they struggled against the simplicity of PLAC's message: 'if you are against abortion, support the amendment'. In comparison, the AAC's messaging was varied and complex and many involved in the campaign were at pains to emphasise their own opposition to abortion. For example, in the final stages of the campaign some of the more conservative sections of the AAC began to argue for a No vote based on opposition to abortion. The AAC in Waterford, for example, produced a leaflet

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<sup>15</sup> The amendment which became Article 40.3.3 of the Irish Constitution stated that: 'The State acknowledges the right to life of the unborn and, with due regard to the equal right to life of the mother, guarantees in its laws to respect, and, as far as practicable, by its laws to defend and vindicate that right.'

<sup>16</sup> Source: A 1982 leaflet from the Anti Amendment Campaign outlining their reasons for opposing the holding of a Referendum. The leaflet has the founding statement of the Campaign as well as a list of public figures and groups that backed the campaign.

<sup>17</sup> For an overview of the types of arguments advanced by the AAC, see *The Irish Times* account of a Campaign press conference: 'Abortion Amendment "dodges issue"'. *The Irish Times*, 10 December 1982: 15.

<sup>18</sup> Probably the most explicitly pro-choice statement made by the AAC was a letter sent by Lorraine Scully to *The Irish Times* on behalf of the steering committee. She writes: 'Over the past few months, correspondents have discussed the legal, medical, theological and philosophical aspects of the proposed amendment ... Although these arguments are fundamental to an informed and balanced opposition to the amendment, they do not relate to the practical problems of women living in present day Ireland ...' (*The Irish Times*, 15 July 1982). From this point onward, if one examines the press statements issued by AAC, they all largely emphasise the politico-constitutional issues and ignore abortion itself.

stating that '89% of local doctors' and '80% of local lawyers' were voting No to the Amendment based on technical legal-medical arguments, before concluding: 'No to Abortion. No to Amendment'<sup>19</sup>.

Women's experiences of pregnancy and abortion were not just absent but actively omitted from public discussions on the amendment. For example, in 1981, the journalist and activist, Mary Holland, became possibly *the* first Irish woman to stand up in public and speak about her abortion. However, she stood up, she stood alone and was forced to endure a concerted hate-campaign which saw her vilified in newspapers, condemned from church pulpits around the country, and to receiving an endless stream of hate mail. Her then partner, fellow journalist and activist, Eamonn McCann, described what she had to endure at the time:

Mary was chair of the Anti-Amendment Campaign. She wasn't just shouted at in the street, she was followed into functions and subjected at close quarters to spittle-flecked tirades delivered into her face. At one gathering, she apologised for leaving early, explaining that she had to get home for a birthday party for one of our children. A red-faced pro-lifer was on his feet in a flash: 'The child you murdered won't be at that party.' Cue a chorus of jeers as she walked towards the door. Letters arrived not just at *The Irish Times*, where she worked, but at our home, wishing all manner of personal disasters upon her and promising hell-fire for the infant mortal life ended (McCann, 2016).

Holland's treatment would serve as a clear and powerful warning to any woman considering taking a similar public stance. And it succeeded: women talking about their abortions in public was an exceedingly rare event in Ireland until the Repeal campaign emerged decades later. The public vacuum created by the absence of women's voices and experiences of abortion in the debate was filled by legal-medical debate as 'experts' - the doctors, lawyers and priests - debated the finer points of the morality of abortion. By the end of the intense campaign,

[t]he only result was that the vision of babies being killed in the womb was stronger in the minds of the Irish than the potential danger in which the amendment would put women (Hug, 1999: 154).

Support for the amendment was unambiguous with two thirds of the electorate supporting it with a 66.9% majority, at a turnout of just 53.6%. It was a devastating defeat, and for many confirmed once again the marginalisation and invisibility of women in Irish public life.

Emboldened by the referendum victory, anti-abortion campaigners switched their target to censoring abortion information, by canvassing for prosecutions against organisations providing abortion advice or banning information such as provided at student unions and women's health clinics. As one anti-abortion activist put it at the time:

in order to defend the right to life of the unborn, we must close the abortion referral agencies which are operating in Dublin quiet openly and underneath the eyes of the law (cited in Hug, 1999: 157).

This led to a series of prolonged legal cases that would ultimately be decided by the European courts. Once again, the experiences of Irish women remained invisible with theological and legal arguments continuing to supersede the personal experiences and stories of women, and the right to have an abortion struggled to get a hearing as pro-choice abortion campaigners were forced to concentrate their efforts on ensuring women had access to the necessary information so they could travel to Britain for abortions. However, in February 1992, nine years after the 8th Amendment was introduced, the Irish Supreme Court (X case) would have to make a specific judgement about the circumstances under which a life-saving abortion could be performed in state and define exactly what constituted 'a real and substantial risk to life'. Faced with all the complexities of a real-life case involving a 14-year-old suicidal rape victim, the anti-abortion consensus collapsed, and conservative forces discovered that they were unable to hold back the tide of secularisation that was relentlessly making its presence felt in Irish society; the X case had irreversibly changed public opinion on abortion, although it would be a further twenty-five years before the 8th Amendment was removed from the constitution<sup>20</sup>.

### Lessons Learnt

The nature of the AAC's referendum campaign was the subject of intense debate among activists from its inception. The WRCG's meetings to discuss the establishment of AAC were dominated by debates on how best to defeat PLAC and there was, from the beginning, clear divisions between 'radicals' who advocated for a pro-abortion perspective and 'moderates' who favoured a more liberal position with the latter's position coming to dominate. While these debates within the abortion movement were certainly not unique to Ireland (see Brown,

<sup>19</sup> Leaflet produced by the AAC Wexford.

<sup>20</sup> For an account of the shift on the issue, see feminist and activist Ailbhe Smyth's ground-breaking 1991 edited collection *The Abortion Papers* for a range of perspectives on abortion in Ireland in the 1980s.



2019: 62-83), the Irish abortion debate in the early 1980s was something of an exception. In Europe and North America, a much-rehearsed strategy had been employed—restrictive abortion laws were attacked through a combination of protest movements, parliamentary action and legal test cases challenging the rigidity of abortion laws. The emergence of PLAC, who were seeking to strengthen those same laws by alleging that feminists and pro-abortion groups were attempting to introduce abortion, made such a strategy near impossible in a Catholic-dominated Ireland. Therefore, the moderate argument easily dominated within the AAC. Furthermore, as discussed above, the political climate in which the AAC operated was intensely hostile and from the outset it was clear that political terrain of the referendum campaign would be determined and dominated by the PLAC. In those circumstances, a pro-abortion argument was unlikely to break through and win the referendum. However, as some campaigners argued at the time<sup>21</sup>, if the abortion argument had been faced honestly and openly addressed by the AAC, the campaign may not have won, but it may have succeeded in creating the space for a pro-abortion position to be further advanced and developed in Ireland and, crucially, for the voices and experiences of Irish women to become part of the debate. The loss of this referendum meant that it was impossible for abortion to be made legal in Ireland without another referendum. Furthermore, the nature of the AAC campaign set back and demoralised the pro-abortion movement, making it harder for the movement to respond and argue for a position that it had previously denied or minimised.

## THE 2018 REFERENDUM CAMPAIGN

The political terrain on which the 2018 referendum campaign to remove the 8th Amendment from the Constitution was fought was dramatically different. In the three decades following the introduction of the 8th, feminists and campaigners continued to agitate and organise around access to abortion but increasingly in a cultural climate that would be characterised less by hostility, and more by indifference. Women in their thousands every year exercised their own agency by travelling abroad for abortions, although it is important to note that this option was only available to those with both the means and the ability to travel (see Earner-Byrne and Urquhart, 2019: 105-109). Access to abortion was further democratised with the establishment in 2005 of Women on Web which offered a safe and more affordable option of a medical abortion, albeit an illegal one<sup>22</sup>. Abortion mobility and the importation of illegal abortion pills were quietly tolerated but rarely discussed realities of life in Ireland and functioned essentially as a safety-valve, easing the pressure on the politicians to act (see Side, 2020: 17-18). Despite numerous commitments to the contrary, six successive Irish governments failed to introduce legislation in line with the X case, the consequences of which would later prove fatal. In 2012, in the run-up to the thirtieth anniversary of the X case, activists established Action on X, a campaign to force the introduction of X case legislation, working with a number of left-wing members of the Irish parliament (see Daly, 2015: 263-269)<sup>23</sup>. Later that Summer, the first March for Choice towards a new offensive mode of operating would be held (see Spillane, 2015: 164). Activists began to self-consciously argue that abortion was not simply involving hard and tragic cases, but a ‘personal choice’ and ‘available on request’. Later that year, the Abortion Rights Campaign, was established with the aim of fighting for the introduction of free, safe and legal abortion (see Doherty and Redmond, 2015: 270). The name of the campaign is particularly significant here given the previously discussed suppression of the word ‘abortion’ even among campaigners<sup>24</sup>. Six years later, abortion would be legally available in Ireland.

### Repeal in Context

In October 2012, Savita Halappanavar, an Indian woman living in Ireland, presented herself at a Galway Hospital miscarrying at 17 weeks. Doctors felt that due to the presence of a foetal heartbeat, they could not treat her, citing the 8th Amendment (Holland, 2013: 81). This subsequently proved fatal when she died of septicaemia. The death of Savita provoked a wave of national and international horror at Ireland’s punitive abortion regime. Thousands gathered in silent vigil outside the Irish Parliament once the story broke in the media and days later

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<sup>21</sup> See Gordan (1984: 22-27). In May 1982 at the launch of WRTG, socialist Goretta Horgan argued ‘that it was wrong that the debate should concentrate solely on the confessional nature of the Constitution ... We are worried about the extent to which the rights of women might be ignored’ (*The Irish Times*, 6 May 1982).

<sup>22</sup> See Women on Web <https://www.womenonweb.org/en/page/521/who-we-are>. Abortion was illegal in Ireland under the 1861 Offences Against the Person Act which criminalised women who ‘procure a miscarriage’. It was also makes it a crime to assist a woman to ‘procure a miscarriage’. The punishment in both cases is life imprisonment.

<sup>23</sup> In April 2012, Clare Daly TD introduced a Private Members Bill to implement the X case. The Bill was rejected (110 TDs voted against the Bill, and 20 TDs voted in favour). The Bill was the first abortion legislation introduced in the history of the Irish state.

<sup>24</sup> Grainne Griffin, a founding member of ARC noted: ‘When we named ourselves the Abortion Rights Campaign it was actually quite a controversial decision because abortion was not a word that people liked saying in public’ (Griffin cited in Goodman, 2018).



tens of thousands marched in Dublin, with simultaneous demonstrations across the country, chanting ‘Never Again’. The political establishment, who had managed to successfully maintain a conspiracy of silence around abortion since the 1992 X case, found itself under enormous pressure to at least appear to act. Still fearful of vocal anti-abortion lobby, political parties supported the introduction of the Protection of Life During Pregnancy Act (PLDPA, 2013)—essentially X case legislation—permitting abortion where the life of the pregnant woman was at risk, although controversially it created an arbitrary and unworkable distinction between physical and mental health. It also copper-fastened the criminalisation of abortion with doctors and women who had illegal abortions facing criminal penalties of up to 14 years in prison (see de Londras and Enright, 2018: 15-32).

The death of Savita Halappanavar and the unworkability of the PLDPA galvanised the pro-choice movement into mobilising an intense campaign to pressure the government into calling a referendum to repeal the 8th Amendment. Activists began mobilising through protests, art, street theatre and various forms of direct action. In 2013, a coalition of activists, political organisations and NGOs established the Coalition to Repeal the Eighth Amendment to protect and respect women’s lives, health and choices. The organisation sought to develop a broad-based, critical mass of groups and organisations who held a variety of different positions on abortion but who would all agree to come together in support of repealing the 8th. The Repeal movement was further emboldened when on 22 May 2015, the Irish electorate voted overwhelmingly<sup>25</sup> to legalise same-sex marriage and Ireland became the first country in the world to bring in same-sex marriage by a popular vote. For many abortion activists, this pointed to a dramatic sea-change in Irish culture and society and the positive, joyful tone of Yes Equality<sup>26</sup> began to be seen as a model for a potential future Repeal campaign where abortion could be framed as a positive good for women and Irish society more generally. In 2016, a group called ‘Strike for Repeal’ organised a global demand for women to strike on 8 March, which is International Women’s Day. Their actions inspired thousands of young people across the country to walk out of schools and Universities and they succeeded in shutting down Dublin city centre for a number of hours (see Edwards and Flaherty, 2017; Field, 2018). As a direct result of this intense campaigning by pro-choice activists, a referendum on repeal continued to intensely feature on the political landscape, reaching a point where it became politically damaging for politicians to continue with their cautious and indifferent approach<sup>27</sup>.

### The Together for Yes Campaign

One obvious difference for abortion activists campaigning in 2018 was that they were operating in a more favourable political environment. They did not get to design the referendum, like PLAC had in 1983, but the political establishment had acceded to campaigners’ demands for a referendum. From the beginning, pro-choice abortion activists across the political spectrum agreed that a successful campaign would require a centrally organised and nationally co-ordinated operation with clear messaging and a co-ordinated strategy. The model that many began to favour was the highly successful ‘Yes Equality’ campaign<sup>28</sup>. In this context, three organisations—the National Women’s Council of Ireland (NWC), the Coalition to Repeal the Eighth Amendment (Coalition) and the Abortion Rights Campaign (ARC)—came together in January 2018 to establish ‘Together for Yes’, the National Civil Society Campaign to Remove the Eighth Amendment<sup>29</sup>. The idea was to create a broad and diverse campaign rooted in the experiences of women and their families, which focused on achieving laws and services, informed by best medical practice that responded to the needs of women. Collectively, the three organisations had a strong public profile on abortion, as well as considerable campaigning and mobilisation experience. A determining factor in coming together was that each organisation committed to share human and financial resources, political expertise, organising and research capacity, and their considerable grassroots and mobilisation support (see Griffin et al., 2019: 96-100).

The three organisations spent several weeks working together, designing an effective campaign structure led by three co-directors, one from each organisation: Grainne Griffin (ARC), Orla O’Connor (NWC), and Ailbhe Smyth (Coalition). The campaign was subsequently expanded to include the Irish Family Planning Association (IFPA) who were probably the longest campaigning organisation in Ireland on reproductive rights, beginning with contraception back in the 1970s<sup>30</sup>. As we saw with the AAC in 1982/3, within-broad based campaigns it tended to be the more liberal voices that come to dominate, often at the expense of the more radical tendencies. The

<sup>25</sup> 62.07% of the electorate voted in favour of the constitutional amendment to legalise same-sex marriage.

<sup>26</sup> Yes Equality: The Campaign for Civil Marriage Equality was the principal organisation that campaigned for a Yes vote on marriage equality in 2015. For an overview of the 2015 Marriage Equality referendum campaign see Mulhall (2015).

<sup>27</sup> For an overview of this period of activism, see Carnegie and Roth (2019).

<sup>28</sup> A number of key Together for Yes activists, including Ailbhe Smyth and Denise Charlton, played significant roles within Yes Equality.

<sup>29</sup> For details of the Together for Yes Campaign, see the website: <https://www.togetherforyes.ie>.

<sup>30</sup> For an overview of the IFPA’s work see: *A Health and Rights Approach to Abortion in Ireland* [https://www.ifpa.ie/sites/default/files/ifpa\\_submission\\_to\\_the\\_citizens\\_assembly.pdf](https://www.ifpa.ie/sites/default/files/ifpa_submission_to_the_citizens_assembly.pdf).

nature of referendum campaigns tends to exacerbate this, as they require campaigns to orientate themselves towards the middle ground in order to attract undecided or moderate voters. As many of the pro-choice groups organised themselves into Together for Yes (TfY) as a single, official campaigning organisation, the tensions between the desired outcome (largely, repeal, followed by decriminalisation and professional regulation only) and the perceived demands of a constitutional referendum (the desire to be moderate and reassuring in the hope of winning ‘the middle ground’) became clear from the outset.

One of the first and most difficult tasks early on in the new campaign was to establish the campaign identity and agree on a campaign name. When making these decisions, in the forefront of the minds of many activists were the divisions that had plagued the AAC in the 1980s. To begin with, many disliked the campaign name ‘Together for Yes’, proposing alternatives. ‘Yes for Repeal’ was a name that had been informally discussed among different groups for some time; this had the support of many activists, particularly grassroots campaigners, as it connected with the work that they had done over many months and years to make the referendum a possibility<sup>31</sup>. However, it was not a name that connected with people outside of the movement and others felt that, like in the 1980s, the campaign required an identity that was inclusive of those who were not active or committed to the issue but still desired a change. ‘Together for Yes’ began to be the name that emerged. The campaign also felt that the name could be used to build a broad-based alliance that stood ‘for’ rather than ‘against’ something. For the co-directors, it was an inclusive concept, allowing disparate groups and individuals to come together on this single issue (Barron, 2019: 8).

Like the AAC in 1983, one of the key decisions for the campaign was the question of focus. The 2018 referendum campaign asked the electorate whether to remove the 8th Amendment from the constitution or not. From the beginning, it was evident to most campaigners that this had to be the focus and would be the key to the campaign’s success and that if the campaign became bogged down in abstract legal and medical issues around abortion, it would lose (Griffin et al., 2019: 91-109). Unlike previous abortion rights activism in Ireland, campaigners this time began from the perspective that people were moveable on abortion. The campaigners understood that their key challenge was to convince voters, some of whom may have been personally against the idea of abortion, to support removing the constitutional ban on abortion in order to allow women to make these decisions for themselves. This was a significant and radical shift in abortion campaigning in Ireland and offers important insights for the global abortion movement. The focus on personal stories was the key tactic in achieving this as allowing women’s own unmediated experiences of being denied an abortion in Ireland to be told would be central to shifting and re-framing the narrative of abortion. This decision would inform much of the campaign messaging and structure. As the campaign progressed, the TfY message was distilled into three key ideas:

- Enable women in Ireland to access abortion care at home,
- Allow doctors to treat women without fear of breaking the law or facing prosecution, and
- Support women to make important decisions about their families and pregnancies.

TfY messaging focused on access to ‘abortion care’ rather than on pro-choice language or reproductive rights messages. The campaign framed abortion as ‘a healthcare need’, placing it in the context of women’s healthcare more broadly, and presenting abortion as a private matter between a woman and her doctor. The decision was influenced by focus group findings, which showed that this was the framing which resonated best with those who were undecided (see the Together for Yes, ‘Messaging Book’). Multiple pieces of research confirmed that the electorate trusted mostly two groups of people to talk about abortion: women who have had an abortion, and doctors<sup>32</sup>. These ideas were then reflected in the poster and campaign slogan: ‘Sometimes a private matter needs public support: Vote Yes’. As we will see below, this decision proved to be one of the more disputed aspects of the TfY strategy, particularly among those working and canvassing on the ground. This disquiet was also aired at the ‘internal campaign organising day’ which involved various groups and activists from around the country. However, despite these reservations, there was a powerful sense among activists that a unified and broad Yes campaign was essential to win the referendum.

TfY’s core campaign message that abortion was a healthcare issue, between a woman and her doctor, saw doctors positioned front and centre in the campaign. TfY actively platformed doctors, promoting them for high-profile speaking roles. Individual doctors, including well-known gynaecologists and obstetricians, and healthcare providers, including the IFPA, also delivered campaign messages. The second core campaign strategy, as noted above, was the use of stories. Drawing on the experience of the Yes Equality campaign during the Marriage Equality referendum, the personal stories of women who had experienced abortion became a key driver of the campaign strategy. The public telling of personal, intimate stories was given a wider impetus with the emergence

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<sup>31</sup> For a detailed discussion around the campaign name ‘Together for Yes’ see Griffin et al. (2019: 110-112).

<sup>32</sup> See, for example, Red C poll commission by Amnesty International Ireland in 2016. Poll available at: <https://www.amnesty.ie/amnesty-internationalred-c-poll-reveals-irish-public-want-expanded-access-abortion-political-priority-incoming-government/>

of the global #MeToo movement in the months before the referendum. Women across the island of Ireland and around the globe were telling painful stories, often for the first time, of abuse and sexual humiliations at the hands of men who all too frequently found protection in social and symbolic structures of power. For TfY, personal stories, rather than the theoretical and abstract arguments that characterised the AAC, chimed with the zeitgeist, reaching people with their immediacy and authenticity, and were essential to grounding the credibility and integrity of the campaign. This was also a strategy that found widespread support with the campaign's base of core activists. However, it is notable that the stories promoted in TfY campaign material were all carefully curated 'stories' of women's experiences of abortion that reflected the messaging of the campaign. For example, the stories of Paula and Deirdre appeared in one of the mid-campaign (late April/early May) TfY leaflets:

I am a 40-year-old mother of two teenage girls. Several years ago, I became pregnant unexpectedly by an emotionally abusive and manipulative partner. It was not a decision I made lightly, although I felt then (and still do) that it was the only option that I had that would lead to a positive outcome. I have never looked back and have no regrets (Paula, Dublin).

I was five weeks pregnant; it was Christmas week and we didn't have anyone to mind our children. I had an online consultation with a doctor. I was petrified the pills would be seized by customs. Christmas was hell. The pills arrived on 3<sup>rd</sup> January, I continued bleeding for four days but didn't go to the doctor. I was so afraid that I just took the risk (Deirdre, Tipperary).

Paula's and Deirdre's stories emphasised how the 8th Amendment was a blunt instrument causing unnecessary pain and hardship, allowing the electorate to conclude that the 8th was incapable of addressing the complexity and nuance of women's lives and experiences during pregnancy. Both stories also involve women who were already mothers—a fact TfY were keen to highlight—emphasising how their individual decisions to have an abortion was a result of careful consideration and was, in fact, the responsible choice to make given their circumstances. In telling these stories, TfY was attempting to alleviate the concerns of what became known as the 'middle' voter, a person who was inclined towards supporting repeal but had concerns about it leading to 'abortion on demand', which was often a euphemism for irresponsible choices. While this strategy proved largely successful in that the referendum was won by a two thirds majority in a huge electoral turnout, it reinforced an implicit message that many activists operating on the ground were deeply unhappy with: that careful, restrictive legislation was necessary to ensure that abortion access was not 'abused'<sup>33</sup>.

The referendum on the thirty-sixth Amendment to the Constitution was held on 25 May 2018. The electorate voted by a landslide in favour of repeal. The scale of victory was enormous, with 66.4% of the electorate voting 'yes' to replacing Article 40.3.3<sup>o</sup> of the Constitution ('the 8th Amendment') with an article stating that provision may be made by law for the regulation of termination of pregnancy. At 64.5%, the turnout was one of the highest ever recorded for a referendum in this country and the highest for any referendum since 1992. However, despite the scale of the support for the referendum, the government continued to insist that the draft legislation it had published before the referendum was not, as most activists assumed, a draft, but the final resolution. Although, as Mairead Enright notes, while the referendum question itself empowered politicians to make Irish abortion law, post-referendum, the government argued that people 'had also voted indirectly on the legislation and it could not now be changed' (2018: 6). The government refused to any of the amendments that would alleviate the most burdensome aspects of the legislation and on the 1 January 2019, the Health (Regulation of Termination of Pregnancy) Act 2018 came into effect. Essentially, the legislation allows women and pregnant people to access abortion services under a number of strict conditions: where the pregnancy is less than 12 weeks; in cases where there is a risk to life, or of serious harm to the health of the pregnant person; and in cases where a condition would lead to the death of the foetus within 28 days of birth. The law is highly restrictive after 12 weeks with only a small number of abortions performed<sup>34</sup>. Nevertheless, over 6,500 women and pregnant people accessed abortion services in Ireland in 2019 and 2020<sup>35</sup>. For a country that had one of the most restrictive abortion regimes in the world, this is a significant political achievement and offers an important advancement in the struggle for abortion

<sup>33</sup> For an excellent analysis of the experiences of TfY campaigners on the ground and the occasional tensions between activists and the central TfY campaign, see Fitzsimons, 2021.

<sup>34</sup> For an overview of the operation and problems with the Health (Regulation of Termination of Pregnancy) Act of 2018, see Kennedy (2021).

<sup>35</sup> 6,666 abortions were performed in Ireland in 2019 and 6,577 abortions were performed in Ireland in 2020. See Department of Health (2020). Notifications in accordance with Section 20 of the Health (Regulation of Termination of Pregnancy) Act of 2018—Annual Report 2019. <https://www.gov.ie/en/publication/b410b-health-regulation-of-termination-of-pregnancy-act-2018-annual-report-on-notifications-2019/> (Department of Health, 2021). Notifications in accordance with Section 20 of the Health (Regulation of Termination of Pregnancy) Act of 2018—Annual Report 2020. <https://www.gov.ie/en/publication/ef674-health-regulation-of-termination-of-pregnancy-act-2018-annual-report-on-notifications-2020/>

services in Ireland. Yet, it is a long way off from what many activists and campaigners envisioned the campaign achieving, namely free, safe and legal abortion with full decriminalisation. Figures from the Department of Health for England and Wales (2019/2020) reveal that the overly restrictive nature of Ireland's post-repeal abortion law still means that several hundred women and pregnant people continue to be forced to travel abroad to access abortion services<sup>36</sup> and abortion campaigners must continue to organise for more meaningful access within Ireland itself.

### Campaign Criticisms

Despite the arguments and debates within the wider Repeal campaign around strategy and tactics, the lasting impression exuded by the Repeal campaign was one of energy, enthusiasm, joy and optimism for social change, largely thanks to the thousands of volunteers, young and old, who devoted weeks and months to canvassing people in their homes and communities in every town and village in Ireland. However, it was these activists who most acutely felt the gap between the victory achieved and the actually quite restrictive legislative outcome. Thus, in the aftermath of the referendum campaign, several significant critiques of the TfY campaign have emerged. There was some tension between the campaign leadership and the local grassroots activists, who had devoted months to canvassing and knocking door-to-door (see Fitzsimons, 2021; Griffin et al., 2019: 117-135). Pro-choice activists did not care for TfY's moderate-style messaging around 'abortion care' and what they saw as the unwillingness of the campaign to criticise the government's proposed post-repeal legislation which was strictly regulated and failed to offer full decriminalisation<sup>37</sup>. The legal scholar and activist, Fiona de Londras, argues that the strategies employed by the TfY campaign 'reduced the space to acknowledge and support people who had "everyday" abortions; who did not fall into the "hard cases" categories' and that 'the right to choose was rarely discussed' to the point that there appeared 'to be a reluctance to insist in public discourse on autonomy and choice as fundamental to agentic reproductive life' (de Londras, 2020b: 125-6). This approach, arguably, had consequences later, making it difficult to effectively push back on the government's highly restrictive legislation that required a three-day waiting period and strict time limits. Another activist/academic Paola Rivetti (2019: 185) has argued that

[t]he strategy of pro-choice activists to focus on abortion narrowly, instead of approaching the issue of reproductive justice intersectionally, laid the foundations for the continuous invisibilisation in the law of those people who represent the 'Other' to the Irish population.

Rivetti correctly highlights the limitations of the referendum campaign and the failure to highlight how the restrictive nature of the new law would continue to disproportionately affect poor, marginalised women, in particular women of colour, women from ethnic minorities, migrant women and women living under the Direct Provision system<sup>38</sup>. What these criticisms rightly highlight are not just tensions that existed within the Repeal campaign, but contradictions that are evident more broadly within progressive campaigns where attempts are made to navigate a tightrope between a strategy of radical, transformative change and one of conciliation and managed change. These conflicts are a product not of organisation but of different political strategies for change.

## CONCLUSIONS

Rosalind Petchesky, in her foundational study, *Abortion and Women's Choice*, identifies two sometimes contradictory ideological constituents within pro-abortion arguments which are products of different Western philosophical traditions (1990: 2-3). One set of arguments emphasises liberty and self-determination—in the idea that a person must be able to control their body and their reproductive choices. The second component stresses 'socially determined human needs' under the existing social division of labour; since the pregnant person is the

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<sup>36</sup> 375 travelled in 2019 and 194 travelled in 2020 (the lower figures for 2020 may reflect the travel restrictions imposed due to the Covid-19 pandemic). Source: Department of Health and Social Care UK (2020). *National statistics: Abortion statistics for England and Wales: 2019*. Published 11 June 2020. <https://www.gov.uk/government/statistics/abortion-statistics-for-england-and-wales-2020/abortion-statistics-england-and-wales-2020>. Department of Health and Social Care UK (2021). *National statistics: Abortion statistics for England and Wales: 2020*. Published 10 June 2021. <https://www.gov.uk/government/statistics/abortion-statistics-for-england-and-wales-2019>

<sup>37</sup> Some of these tensions are discussed in the three TfY co-directors' account of the referendum campaign, *It's a Yes: How Together for Yes Repealed the Eighth and Transformed Ireland*. For a more grassroots perspective, see McDonald et al. (2019); McGill (2019).

<sup>38</sup> Direct provision is the term used to describe the Irish state's reception system for people seeking asylum or the outcome of an international protection application. Amnesty International Ireland has described it in 2020 as 'an ongoing human rights scandal, trapping asylum seekers in limbo for years and violating their human rights' (<https://www.amnesty.ie/direct-provision/>).



individual most effected by pregnancy, it is they who must decide. In other words, pregnancy and reproduction are both individual and social, thereby creating a tension that societies struggle to resolve. As Petchesky writes:

we have to struggle for a society in which responsibility for contraception, procreation, and childbearing is no longer relegated to women primarily; and at the same time, we have to defend the principle of control over our bodies and reproductive capacities (2019: 3).

These elements are evidenced in the struggle for abortion rights in Ireland. The enormous and popular success of the Repeal movement, in many respects, appeared to be the embodiment of a successful feminist abortion campaign, yet the tensions reflected in this article haunted both the campaign and the aftermath. Nevertheless, the Irish Repeal campaign can provide much hope for the international struggle for abortion rights at a time when there are significant attacks on these rights. Repeal shows that it is possible to win a popular referendum campaign by centring the reproductive experiences and testimonies of women. However, it also acts as cautionary tale, warning pro-choice activists that tensions do not evaporate and the adoption of more liberal strategies comes with a cost.

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## ‘Changed Utterly’: The Citizens’ Assembly on the 8th Amendment

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### ABSTRACT

The 2018 Citizens’ Assembly on the 8th Amendment of the Constitution instigated an important process for public participation and deliberation about the legal status of abortion in the Republic of Ireland. Examining the processes of the 2018 Citizens’ Assembly, I argue that it was consistent with democratic deliberations as discrete initiatives that function alongside other deliberative processes. I identify and examine some limitations of Citizen Assembly processes, including the tendency to favour monologue over dialogue, the construction of ‘objective’ reason over the possibility of emotion in deliberations, and processes of exclusion that limited understandings and applications of Iris Marion Young’s idea about social justice. Their implications were identified as limitations in public engagement and political decision making in the Republic of Ireland in a 2017 Council of Europe fact-finding report. In future, acknowledging and addressing these limitations could enhance the use of Citizens’ Assemblies and their relationship to other systemic processes to consider constitutional change.

**Keywords:** abortion, deliberative democracy, Citizens’ Assembly, Republic of Ireland, 8th Amendment

### INTRODUCTION

In a referendum on May 25, 2018, a two-thirds majority of Irish citizens voted to repeal and replace Article 40.3.3, known as the 8th Amendment, with legislation and clinical guidance. Inserted in *Bunreacht na hÉireann* (hereafter the Irish Constitution) in 1983, its insertion and judicial interpretation restricted access to legal abortion (Constitution of Ireland, 2018). The outcome of the 2018 public referendum was not a foregone conclusion. It was preceded by sustained periods of activism, including cases lodged at supranational human rights bodies that exposed the cruel effects of Ireland’s chosen position of legal, constitutional, and moral exceptionalism; but it was also proceeded with conservative forces, including political elites who supported its insertion. In an effort to appease public dissatisfaction with restrictions and to address international pressures, Fine Gael *Taoiseach* Enda Kenny established a Citizen’s Assembly to consider the constitutional and legal matters of the 8th Amendment<sup>1</sup>.

The Irish state had engaged Citizens’ Assemblies previously. The *Convention on the Constitution* (2014) made recommendations to the (then) government on nine constitutional issues, ranging from marriage equality to legal voting age (de Londras and Markicevic, 2018). At that time, the possibility of deliberations about the 8th Amendment was questioned by some advocacy groups, but Kenny earmarked deliberations for some point in the future (Stauton et al., 2015). In 2016, as ‘an outcome of a commitment in the *Programme for Partnership Government*,’ Kenny convened a Citizen’s Assembly to consider five constitutional issues, including the 8th Amendment (Farrell et al., 2013: 114). Quickly, the 8th Amendment overshadowed the four other constitutional considerations, including pressing issues such as Ireland’s role in climate change<sup>2</sup>.

The Citizen’s Assembly process was intended to reflect public opinion about abortion. The format chosen was an intentional one designed to engage ordinary members of the public and to fit alongside other deliberative

<sup>1</sup> For some, this was a surprising announcement. Griffin, O’Connor and Smyth (2019: 29) suggest ‘Kenny gave all the appearance of someone who would prefer never to have to deal with the issue of abortion.’ De Londras and Markicevic (2018: 89) suggest the Citizens’ Assembly process was viewed as ‘nothing more than a delaying tactic that would put abortion law reform on the long finger of a government that was broadly anticipated would be unstable due to its minority status and unorthodox composition.’

<sup>2</sup> The five issues were the state’s abortion ban, the challenges and opportunities of an ageing population, fixed-term parliaments, the process for referendum and, climate change.

processes referred to in the scholarly literature as a 'systems approach' (Mansbridge et al., 2012: 1) to democratic deliberation. The Citizens' Assembly was a space to facilitate 'a talk-based approach to political conflict and problem-solving through arguing, demonstrating, expressing, and persuading' (Mansbridge et al., 2012: 4). It was coupled, intentionally, with an institutional design that sat alongside other state-organised processes of deliberation (Hendriks, 2016). These included the Citizens' Assembly, a Joint Committee of the Houses of the Oireachtas on the 8th Amendment of the Constitution comprised of political elites from *Dáil Éireann* and the *Seanad*, a public referendum and its associated campaigning, and consultations for the development of clinical guidance for practice. The Citizens' Assembly on the 8th Amendment was only one part of a multi-level process that involved public participation and, in its various forms reflected 'some levels of planning and control' (Hendriks, 2016: 44). Assessment of the Citizens' Assembly on the 8th Amendment here is based on a qualitative analysis of its recorded and print proceedings, materials and reports, on media reporting, and popular (Boylan, 2019; Griffin et al., 2019) and scholarly analyses (de Londras and Markicevic, 2018; Drażkiewicz-Grodzicka and Ní Mhordha, 2019) of the Citizens' Assembly, including research generated specifically out of members' experiences (Farrell et al., 2020)<sup>3</sup>. This analysis responds to and engages directly with scholarly discourses around deliberative democracy (Farrell et al., 2020), and some others (Mouffe, 2000; Sanders, 1997; Young, 1999) offer feminist engagement and critiques of deliberative democracy, and the legislative result of the Citizens' Assembly on the 8th Amendment (Enright, 2019).

In this analysis, I recognise and understand the Citizens' Assembly on the 8th Amendment as a constituent part of a larger and more complex system that involves deliberations among ordinary people, advocacy groups and designated experts, and government bodies and their institutions (Mansbridge et al., 2012: 2). It is precisely because of its importance in relation to these component parts, and because 'the deliberative systems approach remains a work in progress,' (Hendriks, 2016: 43) that careful scrutiny of the Citizens' Assembly process is warranted. This analysis demonstrates the connectedness of component parts of deliberative processes and encourages further theorising about deliberative democracy in its various forms (Hendriks, 2016: 57) and about its connectedness. Specifically, it identifies areas for improvement in the Citizens' Assembly process that are intended to strengthen future, connected, systems of public deliberation (Ercan et al., 2016: 204). It is important that the quality of the deliberative system continues to be improved through changes that facilitate enhanced public trust in these processes.

The Citizens' Assembly was an articulation of public opinion about the necessity of substantive reform that was ignored previously by successive Irish governments (Fine-Davis, 2015). However, it was not the first public effort to address Ireland's abortion law<sup>4</sup>. In 2016, the intentional formation of a public body to deliberate about legal access to abortion in Ireland followed on from a 2015 positive referendum outcome on the topic of marriage equality<sup>5</sup>. That referendum outcome resulted in constitutional change and fostered public perceptions that the Roman Catholic Church's hold in Ireland, and the previously tight relationship between the Church and the Irish state had loosened. This assumption, alongside the outcome in the referendum on the 8th Amendment, led to assumptions that Ireland was changed. Following the referendum outcome on the 8th Amendment, (then) Labour Party Senator (now *TD, Teachta Dála*), campaigner for abortion reform, Ivana Bacik (2018) referred to the situation as 'changed utterly' (Bacik, 2018). In declaring the 8th Amendment to be 'history,' Bacik drew intentionally upon William Butler Yeats' famous poem, 'Easter, 1916,' which was written to commemorate another revolution that dramatically changed Ireland<sup>6</sup>.

I analyse the work of the Citizens' Assembly, which resulted in new legislation and clinical guidance. I outline how the Citizens' Assembly was constituted and I examine the parameters of its processes as a forum of intentional public deliberation. This analysis bridges bodies of scholarship that examine Citizens' Assemblies as forms of public deliberation (Farrell et al., 2013, 2018) and specific examinations of the Citizens' Assembly on the 8th Amendment in Ireland (de Londras and Markicevic, 2018; Drażkiewicz-Grodzicka and Ní Mhordha, 2019). First, I detail the Citizens' Assembly format and contributions. I demonstrate how the Citizens' Assembly provided a

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<sup>3</sup> Public submissions to the Citizens' Assembly process are available online and some Citizens' Assembly deliberations were livestreamed on a free commercial server. The organisation, Lawyers for Choice, live tweeted the proceedings on the social media platform, Twitter. There was no public access, except for self-reporting to the entire Assembly, of private table discussions amongst members. Also, there was no access to members' personal, written reflections.

<sup>4</sup> Previous public referenda related to amendments of the 8th Amendment in *Bunreacht na hÉireann* occurred in 1992. As well, the 8th Amendment of the Constitution was referenced as a negotiated matter in European Union public referenda in Ireland in 1992, 2008 and 2009.

<sup>5</sup> The marriage equality referendum passed on May 22, 2015, Yes votes 62.07 percent, No votes 37.9 percent and voter turnout 60.52 percent (Government of Ireland, 2018).

<sup>6</sup> 'Changed utterly' appears at the end of Yeats' first and last stanzas: 'All changed, changed utterly/A terrible beauty is born' and, in the last stanza evokes nationalist images, 'Wherever green is worn/Are changed, changed utterly:/A terrible beauty is born' (Yeats, 1921, 1997).

visible barometer of public opinion about abortion access in Ireland. Through the solicitation of public submissions and guided public discussions, it provided a forum for opinions about abortion, about what were deemed to be related areas (i.e., medicine, medical ethics, law, religion and religious observance) and first-hand experiences of health care in Ireland. From the time of the establishment of the Citizens' Assembly, public opinion was reported regularly in media outlets. In this way, the deliberations of the Citizens' Assembly reached well beyond its relatively small number of appointed members. In addition to those who participated as members in the Citizens' Assembly, over 13,000 public submissions were received and were accessed over 51,000 times on the Citizens' Assembly website<sup>7</sup>. Media outlets in Ireland reported on the Citizens' Assembly proceedings; its establishment and its inaugural meeting were regarded as newsworthy. Those who did not follow the Citizens' Assembly's livestream broadcast or visit its website were still likely to have been exposed to media reports about its deliberations on television, in newspapers, and on social media. In many of these spaces, the Citizens' Assembly was often lauded as a form of democracy in process and its wide reach was regarded as a democratic forum that made room for all opinions about abortion law.

Second, I analyse assertions about the Citizens' Assembly's participatory and democratic nature more closely. I situate this analysis in existing scholarship that examines the systems approach to deliberative democracies. In doing so, I recognise its relationship to other deliberative processes, including the Joint Oireachtas Committee on the 8th Amendment, as well as its relationship to democratic values, specifically inclusion and social justice and in ways that are supportive of a system approach (Mansbridge et al., 2012). Chambers makes an important distinction between 'democratic deliberation' and 'deliberative democracy' (Chambers, 2009: 323). She distinguishes 'discrete deliberative initiatives,' such as the Citizens' Assembly on the 8th Amendment from 'deliberative democracy,' which encompasses more substantive possibilities for change including 'tackl[ing] larger questions of how the public (...) relates to the state' (Chambers, 2009: 323). I argue that the Citizens' Assembly was enacted as a visible and valuable process, but that it did not meet Chambers' conceptualisation of deliberative democracy. Its operation echoed, but did not address or remedy, limitations identified in public-state relations (Council of Europe, 2017). Its rhetoric favoured 'monological rather than dialogical' (Chambers, 2009: 324) forms of communication, particularly in the construction and hierarchical arrangement of expertise. It favoured objective constructions of knowledge defined by reason and objectivity, but these were positioned as antithetical to knowledge defined by reason and inflected with emotion (Chambers, 2012: 324). Medical, legal, and ethical knowledge were more highly valued than knowledge acquired through advocacy and/or personal experience. For instance, it was only on the insistence of Citizens' Assembly members that testimonies from those personally affected by the 8th Amendment were included in proceedings, albeit in ways I show to have been moderated heavily. Subsequent deliberative initiatives also relied heavily on, and in some instances replicated, limited constructions of expertise to draft legislation that framed legal abortion access in Ireland as a medical, physician-controlled prerogative (Boylan, 2019) and situated it, in some circumstances, in criminal law.

The construction and operation of the Citizens' Assembly on the 8th Amendment and its relation to other deliberative processes were also limited in terms of principles of inclusion and social justice (Young, 1999). Iris Marion Young (1999: 291) argues that 'deliberative democracy requires political equality' that cannot be attained in unequal situations. In this instance, the Citizens' Assembly on the 8th Amendment and its subsequent processes excluded entire groups of people including, for example, groups of migrants living in Ireland (Side, 2020). It provided migrant groups living in Ireland with no opportunities for participation or future claims making or accountability (Young, 1999: 295) and their circumstances were excluded from the law. As Young (1999) notes, values of democracy do not necessarily align with principles of social justice. In this instance, the use of a systems approach to abortion reform may be 'democratically legitimate' (Young, 1999: 299), but it resulted in legal outcomes that are unjust and that perpetuate inequalities (de Londras, 2020; Side 2020).

## ENGAGING CITIZENS: THE CITIZENS' ASSEMBLY ON THE 8TH AMENDMENT

The 2016 Citizens' Assembly on the 8th Amendment was comprised of ninety-nine randomly selected citizens (Griffin et al., 2019)<sup>8</sup>. Members were chosen by a polling company and selected from among those included on the electoral register. Elected politicians were excluded from participation. While it was the case that politicians were excluded from this particular process, many politicians made their views about abortion known by aligning themselves publicly with campaigns for retain or repeal. Some joined caucuses to indicate their campaign support

<sup>7</sup> The total number of submissions received was 13,075 and 12,200 appear on the Citizens' Assembly website. Some submissions were removed at the request of their submitters (de Londras and Markicevic, 2018: 91).

<sup>8</sup> Participation in the Citizens' Assembly was voluntary and without remuneration. There was some membership turn-over and in total, 142 members participated. The initial membership composition, by gender, was 51 women and 48 men (Griffin et al., 2019).

to their constituents and to members of the public. Later, politicians constituted the twenty-two members of the Joint Committee of the Houses of the Oireachtas on the 8th Amendment which received the Citizens' Assembly's recommendations<sup>9</sup>.

Members of the Citizens' Assembly met over five consecutive weekends, spanning a six-month period beginning in October 2016. The government appointed Supreme Court Judge, Ms. Justice Mary Laffoy as Chair of the Citizens' Assembly. In addition to the Chair, administrative scaffolding included: an independent (arms-length from government), six-person Secretariat comprised of civil servants to assist the Chair; a six person (plus the Chair) Steering Group elected from amongst representative members of Citizens' Assembly, and a six-person Expert Advisory Group comprised of academics and practitioners (two women and four men) with expertise in medicine, constitutional law, and medical ethics, but none with specific expertise in abortion access. Representatives from designated groups, including advocacy groups, political parties, embassies, religious groups, academics, and social partners were permitted to attend public Citizens' Assembly proceedings, but were prohibited from communicating with Citizen Assembly members (Griffin et al., 2019: 61).

Luke Field characterises the Citizens' Assembly's proceedings as a 'learn-hear-deliberate' format (Field, 2018: 614). A considerable amount of members' time was spent listening to presentations made by twenty-five selected experts in the areas of medicine, law and ethics and to seventeen selected representatives from organisations and advocacy groups that supported or opposed abortion reform in Ireland (Field, 2018: 614). Invited experts addressed that

legal regulations about abortion in Ireland and abroad, the intricacies of constitutional law, the relationship between domestic law and international human rights, [and] the experiences of medical practitioners (de Londras and Markicevic, 2018: 90).

There was a concerted effort to balance advocacy group perspectives. For example, a presentation by experts from Doctors for Life Ireland was followed immediately by a presentation by experts from Doctors for Choice, and a presentation by representatives of the Irish Catholic Bishops Conference was followed immediately by a presentation from representatives of Atheist Ireland. Those connected with organisations and advocacy groups included physicians, students and youth, parents' groups, women's organisations, front-line service organisations, religious organisations, and clergy, and those whose advocacy efforts were focused specifically on abortion. Presentations were followed by question-and-answer sessions and guided and facilitated small group discussions with a reporting back format to the Assembly, and in some instances, with time for members' personal, written reflections. Only a small number of public submissions received were shared with members in their meeting materials, although all submissions were accessible. At the conclusion of their deliberations, Citizen Assembly members voted by majority and in 'sequential ballot-voting' on thirteen recommendations and on a set of ancillary recommendations (Citizens' Assembly on the 8th Amendment of the Constitution, 2017). A majority of members (eighty-seven percent) recommended that the Eighth Amendment not be retained in full (Citizens' Assembly on the 8th Amendment of the Constitution, 2017: 16). A majority of members (fifty-six percent) voted that the 8th Amendment should be replaced or amended by a constitutional provision that explicitly authorised the Oireachtas to legislate to address 'termination of pregnancy, any rights of the unborn, and any rights of the pregnant woman' (Citizens' Assembly on the 8th Amendment of the Constitution, 2017: 16, 19).

The Joint Committee of the Houses of the Oireachtas on the 8th Amendment 'scrutinised' the Citizens' Assembly recommendations (Enright, 2019: 64). The Joint Committee also had the ability to invite expert testimony and it did so. Peter Boylan (2019: 185) identifies the Joint Committee of the Houses of the Oireachtas' purpose as hearing 'factual evidence' from thirty-four expert witnesses. Representatives from a single advocacy group, Termination for Medical Reasons Ireland, were invited to address the Joint Committee of the Houses of the Oireachtas in their deliberations. Chaired by Senator Catherine Noone (Fine Gael), the Joint Committee of the Houses of the Oireachtas on the 8th Amendment issued its final report and a dissenting report and on the basis of these two reports, the Fine Gael government announced a public referendum on the issue of the 8th Amendment, held on May 25, 2018. Proceedings of the Citizens' Assembly could be contained through its administrative processes, but the heavily contested political context in which their deliberations were reported in relation to the referendum proved far more difficult to contain. Both sides of the referendum campaigned vocally. The referendum passed by a majority (66.40 percent) of citizens who voted to authorise the Oireachtas to legislate on the issue of legal abortion access in Ireland<sup>10</sup>.

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<sup>9</sup> One political party, Solidarity-People Before Profits, split their representative committee seat on the Joint Committee of the Houses of the Oireachtas on the 8th Amendment between two TDs.

<sup>10</sup> The referendum passed by a majority vote—Yes votes 66.40 percent, No votes 33.60 percent and voter turn-out 64.13 percent. The constitution was amended by the *36th Amendment of the Constitution Act* (2018).

While some politicians were critical of the Citizens' Assembly process. At its onset, Senator Rónán Mullen (Independent) criticised the cost of the Assembly proceedings (Power, 2016). TD Ruth Coppinger (Solidarity-People Before Profits) and Senator Lynne Ruane (Independent) criticised the Citizens' Assembly as part of an unnecessarily lengthy, pre-referendum process of needed reform (Drażkiewicz-Grodzicka and Ní Mhordha, 2019: 98). Representing a group that advocated retaining the 8th Amendment, Love Both campaign spokesperson, Sinead Slatterly criticised the Assembly's format, suggesting its members had insufficient time for deliberation and alleging that its recommendations for reform were pre-determined (Slatterly, 2017). It was more often the case that the format of the Citizens' Assembly was praised. Contrary to Slatterly's (2017) assertions, a fact-finding committee for the Council of Europe characterised the Citizens' Assembly on the 8th Amendment as an exemplary model of civil society participation and 'a model for Europe' and praised the initiative for its transparency and for 'the quality of its process' (Council of Europe, 2017: 16).

Previously, public considerations about abortion, whether through referenda, legal and public responses to particular cases, government discussion documents (Government of Ireland, 1999), or media reporting, cast a long shadow of a politics of shame over abortion in Ireland (Fischer, 2016)<sup>11</sup>. Clara Fischer argues this shame is rooted in perceived links between female sexual transgression and nation and 'national identity formation' (Fischer, 2016: 822). Prior to the 2016 Citizen's Assembly, public stories about abortion tended to emphasise and portray tragic circumstances, including rape, risk of suicide and death as exceptional circumstances (McConnell and Loughlin, 2018). Previously, Irish governments had generally overlooked public views, including opinion poll data when embarking on abortion reform (Reidy, 2019). The Citizens' Assembly process was significant for its willingness to prioritise public opinion about abortion in ways that did not concentrate on exceptionality and that considered the widespread effects of legal restrictions (Reidy, 2019). In the Citizens' Assembly process, public views took centre stage. David Farrell, Eoin O'Malley and Jane Suiter (2013: 102) argue that the Citizens' Assembly was a test of government's behaviour in response to citizens' requests. Similarly, Elżbieta Drażkiewicz-Grodzicka and Máire Ní Mhordha (2019: 96) argue that 'peoples' [Irish citizens'] trust in state institutions' was not at stake; instead, 'politicians' trust in citizens' was at stake. The Citizens' Assembly tested the government's willingness to act on abortion reform. It provided a visible barometer of public opinion about abortion access and temporarily removed the issue from political parties and their agendas (Caldwell, 2019). The process solicited public views to directly inform the political process and a significant difference between this deliberative initiative and previous reform efforts was that the government was compelled to listen to opinions that emerged from the process that it established (Levine et al., 2005).

## FALLING SHORT OF DELIBERATIVE DEMOCRACY, INCLUSION AND SOCIAL JUSTICE

The deliberative process offered a novel route to Irish abortion reform; and, at the same time, it was laid out by the state and was confined by its forms and norms (Mansbridge et al., 2012: 2). Its legislation was laid out along an already present 'conservative approach to constitutional possibilities' (Enright, 2019: 65). While the Citizens' Assembly Chair acted fairly and responsively to members' concerns, the issue of abortion was constructed discursively as a controversial and contested issue that deviated from the scope of healthcare provision in Ireland. Three specific limitations affected how deliberations proceeded, including: the construction of discussion about abortion as a controversial issue; a problematic for-or-against frame that was constructed as balance; and the limited ways in which personal narratives were included. These decisions shaped considerations in ways that were limited with implications for deliberative inclusion and social justice.

Specific decisions in the Citizens' Assembly processes reinforced assumptions about an allegedly controversial status for abortion. Throughout the Citizens' Assembly meeting schedule, anti-abortion protesters were permitted to gather outside the entrance of the hotel where members met. Although protest can act as a form of social cohesion (Mansbridge et al., 2012: 18), its purpose in this instance was to intimidate Citizens' Assembly members from engaging in public discussions that threatened the legal status quo. Decisions taken inside the venue also reinforced abortion as controversial. Psychologists were hired as part of the Citizens' Assembly to counsel those members who experienced its proceedings as troubling (Griffin, O'Connor and Smyth, 2019: 67). Additional counselling was also available for those who shared their personal testimony with the Assembly. In these instances, discussing abortion in public was regarded as a potentially damaging activity for individuals, but little regard was given to the effects of legal and medical restrictions on individuals.

The Assembly's principle about a balance of viewpoints framed abortion as simplistic. It presented viewpoints as either for or against abortion and without regard for its complexities. This binary disassociated deliberation from

<sup>11</sup> *A Green Paper on Abortion* (Government of Ireland, 1999) was published by an interdepartmental working group in 1999. It set out the circumstances around abortion in a discussion paper format (Quilty et al., 2015).

its complicated context. A frame of divisiveness and the presence of psychologists licensed some representatives from advocacy groups to employ graphic language as a means to persuade members, in this case to maintain the legal *status quo*<sup>12</sup>. Some presenters were permitted to convey factually inaccurate information about abortion to Citizen Assembly members, including claims that pregnant people's decision-making is affected detrimentally by hormones that make them incapable of rationality and that British laws do not protect babies' lives<sup>13</sup>.

A small number of decision makers determined how information was conveyed to Citizens' Assembly members. Based on their analysis of over 1,000 public submissions to the Citizens' Assembly, Fiona de Londras and Mima Markicevic argue that submissions had 'remarkably little impact on the Assembly (...) proceedings' (de Londras and Markicevic, 2018: 90). However, additional efforts were made to share public submissions that included personal narratives in order 'to shine a light on them' (Citizens' Assembly, 2017)<sup>14</sup>.

Personal narratives about abortion in public submissions were highlighted in three ways: a randomly selected sample from all of the submissions received were included in members' monthly meeting packages; the Citizens' Assembly Secretariat collated personal stories separately; and six personal narratives were collected, pre-recorded and broadcast for all members as a part of the all-Assembly proceedings<sup>15</sup>.

Beyond the Citizens' Assembly, personal narratives were also used widely in campaigning by those opposed to reform (Side, 2021) and those who advocated for reform (Griffin et al., 2019: 170). Personal narratives put pregnant decision-makers at the centre of narratives about abortion and, when recounted by members of Termination for Medical Reasons Ireland, they countered assumptions about abortion as a rejection of motherhood (Reidy, 2019; Enright, 2019). Recounting personal experiences allowed some pregnant people to claim agency, to understand and make sense of their own experiences, and to utilise their experiences as a strategic mode for change at temporally significant moments (Boland, 2014). For instance, narratives told by members of Terminations for Medical Reasons Ireland highlighted significant gaps in prenatal testing protocols and addressed the necessity of change. Within the context of the Citizens' Assembly, some personal narratives were strategically managed in ways that may have risked being 'assimilated to national norms' (Enright, 2019: 65). Personal narratives also risked being reshaped into evidence that was irrespective of their highly personalised, intimate nature. Managed too concertedly, their inclusion could fit Chamber's conceptualisation of 'plebiscitary rhetoric,' that which is used to describe speech 'concerned first and foremost with gaining support for a proposition,' in this instance inclusion, to the detriment of the 'merits of the argument' presented (Chambers, 2009: 337).

In any case, the inclusion of personal narratives in the Citizens' Assembly proceedings was merely perfunctory because by 2017 personal narratives about abortion already circulated widely. Personal narratives were already well ensconced in the public vernacular and were likely to have been familiar to Citizens' Assembly members. Public disclosure about previously clandestine abortions began sometime around 2012 when members of the organisation, Termination for Medical Reasons Ireland began to recount their ordeals publicly. Related to circumstances of fatal foetal anomalies, the organisation's members recounted first-hand narratives of travel, incomplete and obstructed information and resources in Ireland, overseas obstetric care, isolation, and associated traumas. In April 2012, members of Termination for Medical Reasons Ireland spoke about their personal experiences to the *Irish Times*; they spoke on RTÉ (the national broadcaster) and met with TDs in Dáil Éireann and the Seanad (Sheridan, 2012). In early November 2012, Savita Halappanavar's tragic circumstances and death surfaced publicly and attracted international attention (Holland, 2013). Public discussion about abortion also ensued in relation to individual cases launched against the Republic of Ireland and adjudicated by international bodies, including at the European Court of Human Rights (Side, 2011) and the United Nations Human Rights Committee (de Londras, 2016).

The Citizens' Assembly proceedings bounded personal narratives within a tightly constrained format. Assembly members' request for the inclusion of personal stories may have been a rejection of the Assembly's decision-making bodies' constructions of expertise, a questioning of the appropriateness of relegating members to the Assembly's on-call psychological counselling, and/or a rejection of the ways that pregnant peoples' experiences were disembodied in the Citizens' Assembly's deliberations. Contributors of personal narratives were identified by advocacy groups and their narratives collected and assembled by the Assembly's Secretariat and staff into a coherent package of evidence. The Citizens' Assembly provided a space where personal accounts were heard, and it assured their longevity through documentation and archiving. However, their inclusion was problematic. These highly personalised, emotional, and traumatic accounts were contrasted with expert testimony. Personal narratives were fitted into the for/against binary solidified by the Assembly's proceedings of the six personal narratives included, only half of them were told by people who had abortions. The decision to include narratives from those

<sup>12</sup> Two speakers, Rebecca Keissling who spoke for Youth Defence and Anthony Levatino who represented the anti-repeal/pro-retain organisation, Women Hurt, spoke graphically about harm from abortions at the Citizens' Assembly.

<sup>13</sup> See Citizens' Assembly broadcast proceeding (<https://www.youtube.com/watch?v=N54r5YAOR-M>), March 4, 2017.

<sup>14</sup> See Citizens' Assembly broadcast proceeding (<https://www.youtube.com/watch?v=N54r5YAOR-M>), March 4, 2017.

<sup>15</sup> Approximately additional 240 personal narratives were identified from public submissions and were circulated among Citizens' Assembly members for their further consideration.



who did not have abortions for the sake of balance was a missed opportunity to portray a wider range of experiences of abortion-related travel and restricted care. The decision to limit proceedings to include six narratives was likely guided by meeting time limits, but no clear rationale was communicated for this decision and when compared with the number and time given to experts, issues of under representation were evident.

All the narratives collected were anonymised, edited (and shared in advance with their tellers), and were pre-recorded, and broadcast for Citizens' Assembly members. Brevity was a common attribute. Narratives averaged eight and a half minutes each and were broadcast successively (McGreevy, 2017). Their successive broadcast made it difficult for tellers to convey complexities, develop backstories and emit emotive responses. Their brevity made it difficult for listeners to comprehend the range and significance of experiences. Although efforts were made to maintain consistency among the presentations, the experiences themselves spanned significant time periods and were diverse and complicated situations; the sought-after consistency among experiences was an unachievable goal. Narratives which emphasised experiences that happened outside of Ireland were difficult to situate in the context of Irish law. For example, when introduced by the non-specific phrase 'this happened a long time ago,' it was impossible for listeners to be able to discern whether the circumstances described occurred before the insertion of the Fourteenth Amendment, which limited state injunctions imposed against travel, or after its insertion. Without knowing this information, the incurred risks of abortion-related travel and care could not be assessed accurately.

Personal narratives shared with Citizens' Assembly members were 'rehabilitated' as Chambers suggests is possible in her examination of deliberative rhetoric (Chambers, 2009: 331). Personal narratives were translated into preferred forms. Little attention was paid to issues of representation and the lack of attention to representation had direct implications for abortion law. There were no narratives from those who experienced state-imposed travel restrictions, including asylum seekers, refugees, undocumented workers, and international students living in Ireland, and all of whom require ministerial permission to leave and return<sup>16</sup>. There was no recognition of systemic disadvantage in assessing reproductive care, including among Travellers and trans communities. These exclusions also persisted beyond the Citizens' Assembly and were reflected in legislation. The Citizens' Assembly on the 8th Amendment contributed towards a process of public deliberation, but the end result of that process did not encompass principles of inclusion and social justice in outcomes. Systemically disadvantaged groups whose voices were marginalised in the Citizens' Assembly process and in campaigning (de Londras, 2021) remained unaccounted for in law (Enright, 2019).

In her analysis of inclusion in democratic processes, Iris Marion Young reminds us that 'a policy can be democratically legitimate...even if it is unjust' (Young, 1999: 297). In the case of Irish abortion reform, limitations in law have profound effects on those who are systemically disadvantaged. For example, non-citizens and trans bodies are excluded entirely from legislation and are disempowered in a legislative relationship that Enright characterises as 'limited benevolent protection' (Enright, 2019: 70). Systemically disadvantaged groups and individuals face a greater likelihood of discrimination in a system that limits access through medical gatekeeping and provides no guarantees of travel for the purpose of care (Enright, 2019: 67; Side, 2020), does not acknowledge a right of personal decision-making, and defines some abortion-related circumstances (including support) as criminal (Enright, 2019).

## **'CHANGED UTTERLY?'**

A discrete, small-scale initiative, the Citizens' Assembly challenged the state's long-standing reluctance to reform abortion legislation. A relatively new institution for Ireland, the Citizens' Assembly offered opportunities for public involvement and provided opportunities to 'undermine populist rhetoric [about abortion], increase knowledge levels,' and to strike 'a closer match between values and voter choices' (Suiter, 2018). However, the Citizens' Assembly, as one part of a systems approach to public deliberation, fell short in some significant ways. The Citizens' Assembly on the 8th Amendment did not significantly alter the state's overreaching powers to continue to shape abortion as a moral issue and one requiring medical intervention (Enright, 2019). Although citizens' deliberations were an intentional part of the process of reform, they occurred in an atmosphere that Carolan describes as 'elite-framed, institutionally bound, and conspicuously legalistic in character' (Carolan, 2020: 503).

State authorities selected and employed the public relations firm that chose its members, devised and staffed the Citizens' Assembly's hierarchical administration, appointed its Chair from amongst the state's judiciary, framed its deliberations, and through the Chair, received its recommendations. Embedded in a systems approach, subsequent state bodies had the ability to accept or to reject the Citizens' Assembly's recommendations, modify

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<sup>16</sup> Personal narratives about abortion access were welcomed in unconventional formats, including through artistic and creative artwork and images. However, none of these were shared with Citizens' Assembly members and they remained buried in the Citizens' Assembly's database of submissions.

them, and shape them into legislation. The impetus for their action was likely to have been motivated by both citizens' expectations and by the government's aspirations for re-election. The Citizens' Assembly defined abortion as a controversial topic and favoured claims about balance in ways that minimised complexities. Acknowledging expertise as a 'crucial' component of political systems (Moore, 2020), the Citizens' Assembly adopted a limited conceptualisation of expertise. This power, relative to citizens' deliberations, was replicated at subsequent levels in a systems approach and was reinforced. In other words, some of the limitations of the format of the Citizens' Assembly filtered up and were replicated at the level of deliberations by the Joint Houses of the Oireachtas Committee of the 8th Amendment of the Constitution.

Legislative change was shaped heavily by experts within the confines of their own professional interests and in this way, there were few changes made to the relationship between citizens and the state, which was recognised by a Council of Europe fact finding report as problematic (Council of Europe, 2017). In Citizens' Assembly on the 8th Amendment proceedings, a considerable amount of members' time was spent listening to expert monologues. Conceptualisations of expertise were not questioned in expert testimony or in the context of the appointment of the Expert Advisory Group. There was little recognition of the possibility of 'divided loyalties' amongst experts (Moore, 2020: 554), including loyalties to professional interests and bodies<sup>17</sup>. There was little space for Citizen Assembly members to question some of the political assumptions on which invitations to expert testimony rested (Moore, 2020: 554). For example, there was little room to question or interrogate the prevailing assumptions that expertise and advocacy were incompatible. The invitation to testify about constitutional law excluded those whose expertise in constitutional law was combined with advocacy in reproductive justice, including abortion. It was falsely presumed that a lack of advocacy was equivalent to impartiality and that impartiality was a necessary prerequisite for possessing expertise. Alfred Moore argues instead that

expertise in the context of ill-structured problems is not a finished product; rather it is conditioned by the institutional context in which it is brought to bear on practical problems (Moore, 2020: 556).

Assumptions about the importance of objectivity re-made Citizens' Assembly members into passive listeners (McGreevy, 2018). Different values were assigned to different types of testimony within the proceedings and limited citizen dialogue. Those with professional status were cast as objective experts and advocates were referred to as representatives; those who offered first-hand knowledge and experiences had their knowledge restricted to those subjective experiences. Experts were allocated the most time in the proceedings, representatives were allocated less time, and those who offered first-hand testimony were allocated even less time; time for members' discussions declined with their perceived value.

Rather than being corrected at, or contradicted by subsequent processual levels, these shortcomings were replicated at the level of the Joint Committee of the Houses of the Oireachtas on the 8th Amendment (*Report of the Joint Committee on the Eighth Amendment of the Constitution*, 2017: 18). The Joint Committee of the Houses of the Oireachtas on the 8th Amendment relied almost exclusively on expert testimony. The only advocacy organisation invited to testify before the cross-government committee was Terminations for Medical Reasons Ireland. This selection had the unfortunate consequence of framing some reasons for abortion as more legitimate than others (Walsh, 2021). Fiona de Londras and Máiréad Enright suggest that legal and medical expertise provided socially acceptable avenues for the construction of secularised arguments that were distinct from religious ethos (de Londras and Enright, 2019). The cumulative effect of expertise and their assigned value proceduralised deliberations (Carolan, 2020). This was despite the fact that Irish-based expertise in constitutional issues, law, and medicine has derived from decades of careful scrutiny of the effects of the constitutionally embedded 8th Amendment and its far-reaching implications in contexts shaped by illegality, social stigma, and shame (de Londras and Enright, 2019: 59). Eoin Carolan also argues that the deliberative process further minimised understandings of constitutional change as 'complex' and 'context-sensitive,' grossly underestimated instigators of reform, including advocacy, and 'disciplined future constitutional impulses towards reform' (Carolan, 2020: 510).

A 2017 fact-finding mission by the Council of Europe praised Ireland's use of the Citizens' Assembly model; however, it also noted that the 'high degree of motivation' evident among civil society organisations, including advocacy organisations in Ireland, stemmed from a consistent lack of state support (Council of Europe, 2017: 6). The Council of Europe's fact-finding mission noted that civil society organisations often formed in Ireland in response to patterns of governmental level decisions that were based on clientelism and 'nod and wink

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<sup>17</sup> The question of divided loyalties arose in relation to two expert invitations extended (both to women) to the Guttmacher Institute and the British Pregnancy Advisory Association. The Chair clarified that representatives were invited in their 'professional capacity as experts' to provide 'impartial information' (Citizens' Assembly on the 8th Amendment of the Constitution, 2017: 59, 60). All except two of twenty-five expert witnesses were doctors, lawyers, physicians, or professors, with a number of experts holding professional status in more than one of these occupations; the possibility of their divided (professional) loyalties did not arise.



behaviour(s)' that undermined cooperation (Council of Europe, 2017: 18). An atmosphere of 'suspicion and mistrust' between civil society organisations and governments prevailed (Council of Europe, 2017: 12). In making future legislative change, the Council of Europe report advised that 'pre-legislative scrutiny of laws' would be in the state's future best interests (Council of Europe, 2017: 17)<sup>18</sup>. The Irish state was also criticised by the Council of Europe for its lack of transparency and for 'hiding behind decisions made by civil servants, including the Attorney General, in the process of law-making,' a pattern that was also evident in legislative decision making about legal abortion reform (Council of Europe, 2017: 11)<sup>19</sup>. The Council of Europe report was particularly critical about the exclusion of migrant voices, including asylum seekers and refugees, and as a result, their lack of 'adequate access to justice' (Council of Europe, 2017: 10).

The Joint Committee of the Houses of the Oireachtas on the 8th Amendment used law making to quiet Citizens' Assembly voices and recommendations through processes of subsequent revision<sup>20</sup>. Joint Committee members narrowed legal access to abortion (Joint Committee on the Houses of the Oireachtas on the 8th Amendment, 2017). Contrary to recommendations made by a majority of Citizens' Assembly members through the deliberative process, Joint Committee members limited grounds for access to abortion and restricted time frames<sup>21</sup>.

Joint Committee members also went beyond the recommendations made and introduced a non-medically necessary wait period to access legal abortion (Boylan, 2019: 29, 193). All of these changes limited abortion access further and limited it disproportionately for those who experienced systemic disadvantage and whose voices were already absent from the deliberative citizens-only process (Side, 2020; de Londras, 2020)<sup>22</sup>.

## CONCLUSION

The Citizens' Assembly on the 8th Amendment, although embedded in a system that was connected to other deliberative processes, did not have 'the capacity to meaningfully challenge the existing power structure of Ireland's political landscape' (Dražkiewicz-Grodzicka and Ní Mhordha, 2019: 96, 97), including the ability to substantially alter the relationship between Irish publics and the state's legislative decision-makers.

The introduction of abortion reform in the Republic of Ireland was a lengthy and complicated process that was shaped by advocacy organisations, the media, the judiciary domestically and internationally, and by the Irish state and governments in power. Although the Citizens' Assembly played a key part in processes of reform, its instigators established agendas long before the Citizens' Assembly materialised. State involvement, however, in processes of citizens' deliberations, was not to be underestimated (Reidy, 2019: 27). Governments leaned heavily on existing state bodies and powers and on the medical profession, to whom it looked to convince the public about the need for incremental reforms and legislated medical supervision of abortion. This cautious and incremental approach to reform deviated from citizens' recommendations and the difference between these approaches, and their outcomes demonstrated a persistent gap between the ideals of the Citizens' Assembly, as a form of deliberative democracy and its enactment into law by the Irish state (Reidy, 2019 27).

In this specific instance, the approach that was employed included creating and favouring bodies of knowledge based on expert opinion that, paradoxically, excluded those with first-hand experiences of travel and abortion and whose relationship to abortion was constructed as subjectively and problematically inflected with emotion. In the Citizens' Assembly process, some recommendations were rejected as antithetical to objectivity. This is despite some politicians reporting having been moved emotionally by the personal stories they heard about abortion restrictions and their consequences (Leahy and O'Halloran, 2018). As well, some politicians on both sides of the referendum campaign used their political platforms to appeal to the emotions and decision-making of others.

Based on this analysis of the Citizens' Assembly, there are some important lessons for its future uses in deliberative processes and for its embeddedness in a systems approach to legislative and constitutional change.

<sup>18</sup> No such scrutiny was proposed or occurred in relation to laws and clinical guidance governing abortion reform.

<sup>19</sup> The Attorney General's position on the legal exclusiveness of the term women in the law was not open to public scrutiny, despite opposition from trans groups and their allies.

<sup>20</sup> The majority of these amendments were introduced by Senator Rónán Mullen (Independent) and TDs Mattie McGrath (Independent) and Peter Fitzpatrick (Independent) and were introduced with the intention of restricting legal abortion access in Ireland.

<sup>21</sup> Citizens' Assembly members voted on twelve circumstances to access legal abortion; there was a majority vote to access abortion in all circumstances, including with no restrictions as to reason (64 percent) (Citizens' Assembly on the 8th Amendment of the Constitution, 2017: 36). The Joint Committee of the Houses of the Oireachtas narrowed accessed further. Abortion is available legally without cause to reason and after twelve weeks in circumstances where there is a risk to life, serious risk to health, and fatal foetal anomaly (Enright, 2019: 55).

<sup>22</sup> Only five of fifteen advocacy organisations that addressed the Citizens' Assembly noted the obstacles to access encountered by migrant populations (Side, 2020: 23).

Constructions of expertise and their use, in the context of desired deliberations, deserve closer scrutiny. It is important to recognise how expertise is conceptualised, the value assigned to it, and the role it plays in facilitating and limiting deliberations. The ability of experts to enhance discussions may also be limited by their ability to also stultify them. The value of objectivity and well-intended efforts to strike a balance also deserve closer scrutiny, as its unlikely that topics of discussion amongst citizens, including abortion, gender equality and climate change (both of which have also been discussed by Citizens' Assemblies), will and should remain without emotion. Instead, fruitful citizen engagement and reform could well depend on the emotions of those who are fully engaged with these issues. The inclusion of personal narratives in the Citizens' Assembly on the 8th Amendment is clear evidence of just how difficult it is to try to manage the emotions of those recounting their own experiences and of listeners. The outcome of attempted management is likely to be unsatisfactory for many of those involved in deliberations. Inclusion, representation, and social justice are integral to deliberative initiatives and to the principle of deliberative democracy. Leaving out those who are systemically disadvantaged and/or who cannot express their own voices in the early stages of deliberative processes does not necessarily guarantee that their needs will be addressed at subsequent levels, as this process for abortion reform so clearly demonstrates. Indeed, exclusions made early in deliberative processes may well continue through and be incorporated into legislative and constitutional changes (Side, 2020). Young's concept of social justice must be evident at all stages of deliberations, even those where divided loyalties, such as those to political parties, exist. Members of the Joint Committee of the Houses of the Oireachtas had no lesser obligations to inclusion and social justice. Finally, participatory processes cannot afford to continue to structure inclusion as a one-time occurrence. For example, the three-year government-led review of abortion reforms in Ireland, underway in 2021, is likely to have been much richer with direct input from deliberative processes that involve citizens, non-citizens, and those affected by the issues under consideration.

In the Citizens' Assembly process to repeal and replace the 8th Amendment in the Constitution, the Irish state recognised the value of public opinion in the formation of the Citizens' Assembly and a public referendum. With reference to the 8th Amendment, the Citizens' Assembly operated as an 'experiment[s] in institutional design' (Chambers, 2009: 323). Its democratic deliberations included members of the public who might otherwise have not been engaged in public discussions about abortion and its reform. Public deliberations indicate a first step towards citizen inclusion, but they also excluded some affected groups and did not significantly alter the ways the public and the Irish state relate to one another (Chambers, 2009: 324). In many ways, state bodies confirmed their power as arbiters and decision-makers over citizens' bodies and embodiment (Chambers, 2009: 324) and used their powers to exclude non-citizens. State bodies, including governments, exercised power in ways that contradicted the majority public opinion of Citizens' Assembly members. While the Citizens' Assembly on the 8th Amendment was a limited model for reform, its shortcomings offer valuable instruction for futures uses of citizens' assemblies in a systems approach and provides optimism about the future potential in public-state relations. While the Irish state, in this instance, did not succeed in altering their hierarchical nature of deliberation and decision-making, it left an open space for the possibility of more inclusive processes in determining the law and guidance for legal abortion access in the context of healthcare in future.

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## Leading Change: Reproductive Rights, Empowerment and Feminist Solidarity in the Dublin Bay North Repeal the 8th Campaign

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### ABSTRACT

This article examines how the Dublin Bay North (DBN) Repeal the 8th activist group, an independent women-led, grassroots movement in the largest constituency in Ireland, practiced a collectivist approach to forms of ‘power-with’ and ‘power-to’ (Allen, 2018) that enabled the group to create an activist community based upon a feminist ethics of ‘caring-with’ (Tronto, 1993). In 2018 in Dublin, what had been a narrow majority in 1983 against abortion rights became a decisive 3:1 margin in favour. While this remarkable change can be attributed to the efforts of numerous feminist and reproductive rights activists working for many years, including those tied to the national Together for Yes campaign, less attention has been paid to new activist leaders participating at the grassroots level. This article focuses on the leadership roles adopted by first-time grassroots activists who became ‘team leaders’ and ran decentralised campaigns in their neighbourhoods. Using qualitative analyses of a survey of 125 members (June 2018), 16 semi-structured interviews with DBN team leaders and other key people within the campaign (October 2018 and March 2019), and the authors’ own experiences, we consider how new activists recruited and empowered others to tell their stories, canvass, and lead their own actions.

**Keywords:** Ireland, feminist activism, reproductive rights, empowerment, leadership

It’s women who are leading this, who are driving this, which in itself is fantastic. Women whose first canvass was last January [...] are actually leading their own groups [...] and they’re getting the job done (Niamh McDonald, Chair of DBN Repeal, quoted in Chambers, 2018).

### INTRODUCTION: RESEARCHING FEMINIST LEADERSHIP

Dublin Bay North Repeal the 8th (DBN Repeal) was steered by an independent women-led, grassroots group, established in August 2017 to repeal the 8th Amendment in the Irish Constitution<sup>1</sup>. Within about a generation, in the constituency of Dublin Bay North (DBN), the narrow-majority of people voting against abortion rights in the 1983 national referendum had changed to a vote in favour on 25 May 2018, and by a decisive 3:1 margin. The constituency of DBN had the largest voter turnout in Dublin—71.6% compared to 65.7% for Dublin and 64.1% nationally—contributing the largest net of ‘Yes’ votes to the national total of any constituency. While there were significant and transformative local grassroots efforts across Ireland, the DBN results were striking when also considering the area’s mixed housing and age profile, and average class status (compared to Dublin as a whole) (McDonald et al., 2020).

In this article, we argue that this remarkable change in popular attitudes can be attributed, in part, to the numerous grassroots activists who took leadership roles for the first time. As we describe below, ‘team leaders’ recruited other activists of different ages, genders and levels of experience, and empowered them to tell their stories, canvass, lead their own actions, and become involved in other forms of mutual aid and support. We

<sup>1</sup> In Ireland, the Constitution can be amended by a referendum put to the electorate. There have been 38 amendments to the Irish Constitution since it was enacted in 1937.

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interpret the leadership practiced in DBN as exemplifying a collectivist approach to non-hierarchical forms of ‘power-with’ and ‘power-to’ (Allen, 2018) that enabled the group to create an activist community based upon a feminist ethics of ‘caring-with’ (Tronto, 1993). Our research fills a gap in feminist theory through our focus on the role of women as leaders in activist movements. In her encyclopaedic overview of *Gender and Women’s Leadership*, Vetter (2010: 3) notes ‘an alarming dearth of theoretical analysis of women as leaders’. Reviewing the theory and practice of feminist leadership, Batliwala (2011: 11) insists that ‘the last thirty years of feminist experiments with building alternative organizational forms and leadership practices needs to be interrogated and theorized, particularly in light of the far deeper understanding of power and organizational behaviour that has emerged during this time’. This paper takes up these challenges by examining the practices of leadership within DBN Repeal through a feminist understanding of power-with.

In her summary of the relations between feminist theory and feminist activism, Amy Allen notes the importance of a relational understanding of power in feminist practice that facilitates the cultivation of capacity (power-to) and collectivism (power-with), while constraining the play of domination (power-over) (Allen, 2018). Allen’s (2018) feminist critique of domination is critical of traditional notions of leadership and draws instead from the accumulated experience of feminist activism a style of politics that prioritises inclusivity, even over proximate efficiency. Her work also resonates with some historical studies of movements. Writing of black feminist activism in the United States, Radford-Hill (2000: 8) declares that the movement rejected ‘the failed charismatic, phallogenic, ethically corrupt, and discredited’ style of leadership produced as the norm within American political culture, and sought instead to ‘raise up and support leaders who are visionary, pragmatic, inclusive, and accountable.’ Such relational approaches to power recognise and attempt to create inclusive communities by addressing the barriers of external obligations that often exclude working-class women and women with caring responsibilities from political activity. In the context of the longer-term feminist campaign for reproductive rights in Ireland, we follow de Alwis (2009), arguing that our focus on grassroots forms of leadership according to power- and caring-with offers fresh thinking on what constitutes ‘the political’. Following Judith Butler’s discussion of grief as a psychological and physical undoing of relations with others that can lead to transformation of the self, de Alwis (2009) argues that such undoings produce spaces that empower feminists to reimagine the political. Emergent local practices empowered new and existing activists—including people who were working-class, single-parent, migrant, trans, and those with disabilities—to create spaces to tell, share, and listen to stories about their experiences of grief resulting from gender-based oppression, violence, shame, and the lack of choice in pregnancy, many of which challenged the ‘good’ stories about abortion highlighted by the national Together for Yes (TFY) campaign.

The intersectionality that twists gender and class together is understood as a barrier to participatory and deliberative democracy by Phillips (1996) among others. Cultivating collectivism through power-with also rests upon affective relations, referred to as the ‘social erotics’ or the ‘libidinal constitution’ of activism (Gordon, 1997; Sandoval, 2002). Feelings of belonging and being supported can also be ascribed to an ethics of care within feminist movements (Abbruzzese and Wekerle, 2011), which draw upon a history of helping women access abortion care (Kasstan and Crook, 2018). The separate moments of care identified by political theorist Joan Tronto are all evident in our account of DBN Repeal: ‘caring about’, ‘caring for’, ‘giving care’, ‘accepting care’, and collectively caring-with (Tronto, 1993, 2013). Care has also been tied to a feminist style of leadership that Naples and Bojar (2002: 383) describe as ‘embracing cooperation, seeking to build alliances and relationships with care and concern for others’.

In the next section, we argue that the non-hierarchical caring and affective bonds of solidarity within DBN Repeal were established on a feminist organisational culture developed in the early months of what was then a small grassroots movement. We examine how a feminist praxis of broadly non-hierarchical leadership and care developed to include new members, some of whom were first time activists who became leaders in their own neighbourhoods. We focus upon leadership roles within DBN Repeal to discuss the skills deployed and developed by team leaders. Then we look at how activists with experience sustained and incited the activism of those with less experience. The organisational skills of the former were supported by the facility of the latter with social media. New partisans were also recruited and encouraged by witnessing strong women manage a large and growing campaign; members learned empowering feminist language from strong role models and were invited to take areas of responsibility for themselves. Following this, we turn to discuss the reception of and accommodation to leadership within the movement. In movement terms, we discuss how feminist solidarity was built through an inclusive ethics of caring-with that extended across activist experience, age, and geographical contexts.

Our research provides evidence of inter-generational practices of learning together and caring-with that forged feminist solidarities, confirming critiques of the essentialising nature of theorising feminist movements through ‘waves’ (O’Hara, 2021) or ‘generations’ (Reger, 2012). Other studies of vibrant abortion rights campaigns also emphasise inter-generational learning, including Méndez (2020: 282) who describes a young generation taking to the streets ‘while demanding an inter-generational conversation around Gender Studies’, and Sutton (2020: 10) who emphasises ‘generational contributions, convergences, and solidarity’. Méndez (2020) and Sutton (2020) noted

the dynamism of a movement on the cusp of its great victory, the legalising of abortion in Argentina in December 2020. In contrast, Hall (2019: 1497) concluded that the ‘absence of intergenerational dialogue and transmission of knowledge’ weakened resistance to neoliberal and patriarchal attacks on women’s rights in Poland.

Our article extends these discussions by drawing upon three sources of data. First, the authors were all members of DBN Repeal, working in different capacities, and we draw upon some of our personal experiences below. Of the five authors, two were in leadership. Three are self-identified cis-gender female authors, two of whom are mothers; one was elected DBN chair with extensive activist experience and one was a team leader with some activist experience but new to leadership. The third woman, an experienced activist, was new to canvassing for a national referendum, and attended DBN monthly meetings. Of the two self-identified cis-gender men, one had some activist experience and participated in information stalls only, and the other was new to both grassroots activism and canvassing; neither attended monthly meetings. With others, we created the DBN Repeal Research team, only hours after the tally of the national referendum. Some of us noted at the InterContinental Hotel celebrating our shared victory with the larger national TFY campaign that the mainstream stories of the campaign, presented at the victory celebrations in videos and published data, needed to be balanced by grassroots accounts. We wanted local members of the movement to tell their own stories and provide the voice of local leadership efforts. We also wanted to (re)claim from the TFY national campaign the research collected while canvassing our neighbourhoods, which included qualitative data (door to door information, social media data, and canvassing maps) that informs our research.

Second, we created an online survey in June 2018, answered by 125 members, followed by an informal social gathering (July 2018) in which members were invited to write responses to trigger questions. This sample undoubtedly includes some of the most committed of activists who, as the data demonstrates, had a high level of satisfaction with the movement (98% of respondents described their experiences with the campaign as positive). Furthermore, our survey was conducted in the euphoric wake of the success of the campaign. Nevertheless, our survey returns included more than a quarter of our DBN Repeal members when their impressions were still fresh. The surveys are a reliable guide to the attitudes towards leadership amongst those activists who were most effectively mobilised by the campaign—the ones who saw Repeal through to its successful conclusion. The remaining three-quarters of people involved with the campaign were either not reached by our online invitation or chose not to complete the survey. Some of these may have been less appreciative of the leadership strategies detailed below, and their lack of response may reflect a broader alienation from the movement and its style of leadership.

The survey results corresponded to the third element of research: in-depth interviews with team leaders and other key people within the campaign. Following the survey, we partnered with Maynooth University Department of Geography staff and students to conduct interviews. As part of feminist and public engagement research methods classes, we developed the interview questions, and co-facilitated 16 interviews, which were conducted by Masters of Arts in Geography and Final-Year undergraduate students in October 2018 and in March 2019, respectively. As we discuss below, the strategies and intentions the leaders disclosed were generally consistent with the survey findings. For purposes of anonymity, unless someone wished to be self-identified, we have assigned pseudonyms for those interviewed.

## **POWER-WITH: FEMINIST LEADERSHIP**

Repeal was a cause that women led. In this section, we describe how feminist governance systems were developed within DBN Repeal. Participatory democracy, including consensus and inclusion, was adopted as a guiding principle. There was a fervent belief in addressing any obstacles to women’s participation in the movement, including styles of male domination such as described by Allen (2018). Furthermore, as an ethical stance, care and mutual respect shaped the affective relations within DBN Repeal. Following a brief overview of DBN Repeal, we describe the way activists addressed these values and the manner in which they reflected upon them after the conclusion of the campaign. We consider cultures of feminist leadership in DBN by discussing the organisation and power relations of the group, how leadership roles evolved, and the skills learned by leaders and members who actively participated in the campaign.

At the peak of the campaign, the DBN group counted between 400 and 500 supporters based upon our tally in May 2018 of participants in our private Facebook members page and WhatsApp canvassing groups<sup>2</sup>. Our voluntary survey of 125 members indicated that 80% were women. For many (about 43% of respondents), this was their first political experience. Such a profile, however, could not have been predicted when the group first formed.

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<sup>2</sup> Social media utilised by DBN included public and private Facebook pages; and Twitter, Instagram, and WhatsApp accounts.

Challenging the then-governing Fine Gael's stance on the 8th Amendment, in April 2017, 64% of the Citizens' Assembly advised not having a restriction on abortion in the Irish constitution, prompting activists to organise a local campaign to secure this. The first few monthly meetings of what became DBN Repeal (August 2017) included between 10 and 20 people. Many of those women had previous experience in politics and/or activism, and used their experience of political activity, including their feminist distrust of hierarchical relations of domination, to craft the power-with more inclusive relations that underpinned DBN Repeal. Two experienced DBN activists, Brian and Carol, who were also involved in the 1983 anti-amendment campaign described DBN Repeal as a 'bottom up' campaign, noting that the group organically developed into a major campaigning force because of the efforts by the women leaders. Similarly, the DBN chair Niamh McDonald, one of the authors, acknowledged the importance of its members in leading a grassroots campaign.

As a newly formed grassroots group, the early part of the campaign had a rather fluid approach to coordination. Experienced female activists ran monthly (and later biweekly) meetings, and used what Niamh described as a 'light-handed approach towards facilitation'. Donations collected at the end of meetings went toward the cost of room hire in a local community centre, and, later, towards other campaigning activities. The group evolved to include three elected officers (chair, secretary, treasurer), eighteen team leaders and members, but maintained inclusive organisational structures based upon feminist activist models of leadership that recruited new members to become involved in locally-based activism quickly and easily. The elected officers all had previous activist experience in running political campaigns. Two were self-identified members of a political party, and the chair of DBN was at that stage unaffiliated. Reflecting upon her role as chair, Niamh saw herself as facilitating spaces for people to engage whilst also focusing on the logistical and planning aspects of the campaign. She needed to be 'always in the future never in the now' to plan for the next phases of the campaign. Another DBN officer noted:

[I]t was very wise that we set up so early because we had the structures in place well ahead of the campaign. So, we could go right into canvassing [and] we covered the whole constituency—and it's a big constituency. And so it was just as well that we had [that] in place (Carol).

By January 2018, a constitution was drafted to set up a bank account to comply with the Standards in Public Office Commission (SIPO) regulations.

The power relations of the DBN leadership were envisaged to be horizontal rather than hierarchical. At larger DBN meetings, minute-taking rotated and decisions were put to the floor and decided by vote. Meetings were largely given over to discussion, debate, and the airing of different perspectives, including dissent. One survey respondent was unhappy with the nature of internal debate: 'While people were encouraged to speak, it very much felt like the outcome of any discussion was predetermined' (DBN.06.18.126)<sup>3</sup>. This was the only respondent who, in answering a question about barriers to their involvement with the group, was at all critical of the openness of discussion within DBN Repeal. Most decisions were made collectively, meaning that everyone attending agreed, although a handful of the most contentious issues were decided by majority vote. All members were invited to brainstorm collectively, come up with ideas, and then enact actions for change, rather than to follow directions passively from those in charge. Additionally, people volunteered or were encouraged to take roles to get tasks done. DBN Repeal leaders also modelled anti-sexist, anti-racist, anti-ageist, anti-ableist approaches and language, while nurturing gender, class, age, and sexuality inclusivity at meetings. Difficult conversations and complex political nuance were confronted, including the debate about whether the group should maintain its independence from TFY, discussed in more detail below. Legal, trans activist, and other experts in the group were invited to share information and provoke discussion; guests were invited to contribute to our shared dialogue. Though some first-time activists may have had reservations about initially becoming involved, for most this reticence soon dissipated. One member who became a team leader said:

The initial contact that I had with it [the DBN group] was that this (...) was going to be (...) 'run-by groups'. As it turns out, it became an absolute, totally people-driven, normal, normal-people driven kind of force (Noreen).

Another member who became centrally involved in the campaign said:

I went in not really with many expectations. I wasn't sure what to think when I walked in the room [at my first meeting]. There was a lot of people that already seemed to know each other and so I wasn't really sure where I would fit into the group (...) but very quickly I felt welcome (Anna).

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<sup>3</sup> Survey responses are identified by a date and respondent number.



A mutual form of learning between leaders and members ensued, supporting a form of feminist solidarity, to which we return below. The culture of solidarity and mutual support, as led by strong women, fostered inclusivity, creativity and confidence.

The activities of the group changed as the campaign developed and as DBN Repeal grew. Roles established by campaign and team leaders encouraged members to 'own' the campaign. Leaders within DBN Repeal were the local activists who put 'structures in place' to facilitate a large number of volunteers to engage with, participate in, and contribute to the success of the DBN campaign (Niamh). Volunteers expressed their motivation in terms very similar to what Tronto (2013) describes as moving from caring about an issue to caring for an issue, which means taking responsibility leading to action. As one member expressed, she wanted to 'do something more than just being at home on the computer talking about it' (quoted in Chambers, 2018). Attendees volunteered for or were invited into different tasks which drew upon an individual's expertise and/or interest, including: presenting information on different topics; organising action items, such as holding a small event to mark the anniversary of the death of Savita Halappanavar; circulating images of actions on Facebook; joining and reporting on the national Coalition to Repeal the 8th; volunteering to work the first stalls; and training members to work at information stalls and to canvass (McDonald et al., 2020). Members willing to take on more responsibility for the logistical aspects of the campaign were encouraged to do so. By dedicating their time, knowledge, energy and enthusiasm, activists who were leaders invited, even inspired, others to participate.

The DBN chair identified the first group canvass held in January 2018 as the key moment when a new set of DBN members took charge in organising the campaign:

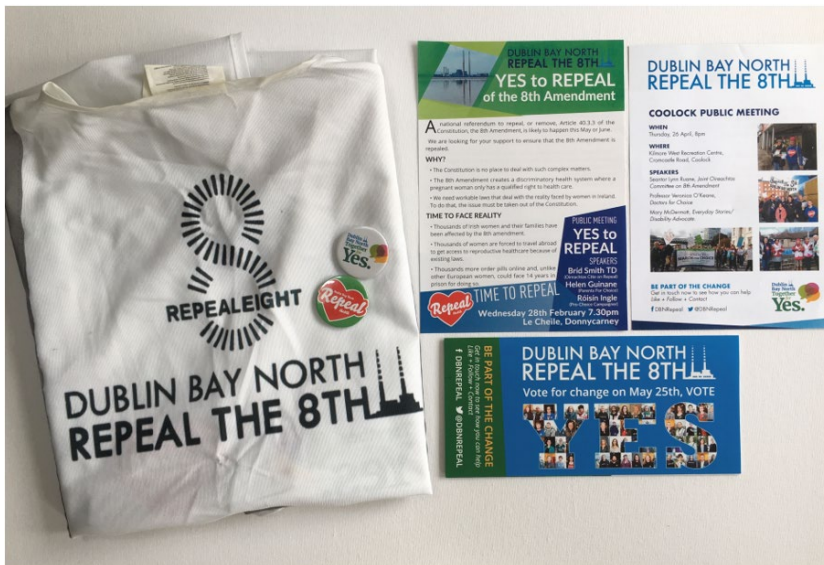
That night the women came down: they went out, they canvassed. They broke through the fear of talking about abortion to Irish people at the door. They went on to lead the campaign. They had never done any activism before and that is the thing you wanted to achieve (...) to have a core group of radical-inclusive feminists in an area who are able to organise and win a campaign (Niamh).

As noted above, many of this 'core group of radical-inclusive feminists' were first-time canvassers. They also later played an important role in organising and facilitating DBN's first open public meeting in Le Chéile Community Centre in Donnycarney in March 2018, where the group's monthly meetings were also held. In advance of the meeting, active members living in different areas of the constituency agreed to be available to meet interested attendees. At the meeting, signs with neighbourhood names were posted around the room to encourage people to register availability within their locality. DBN is a large and class-diverse constituency. More affluent neighbourhoods include villas on Griffith Avenue, the city's first planned suburb of Marino in the north-west, the stately terraces of Clontarf in the south, and the architectural jewels of Howth in the east. Middle- to working-class areas include modest cottages in Raheny, bedsits and apartments in Coolock, and areas of social housing in Darndale, Edenmore, and Kilbarrack (the latter of which are slightly below the city average for local authority housing) (McDonald et al., 2020: 125). Rather than being overwhelmed by a big room, the signs meant that people might recognise their neighbours and feel more comfortable about participating. Our most active members also circulated to answer questions, assuage fears and encourage involvement.

Some DBN activists subsequently took on higher levels of responsibility. They became referred to as 'team leaders' for a neighbourhood because they supported members in participating in canvassing, leafletting, wo/manning information stalls and visual displays, and fundraising, but also in what Tronto calls giving care and receiving care, which included providing emotional support, co-ordinating financial support or baby/elder-sitting for those with these obligations. Of the eighteen team leaders in the group, nine were parents, and six were mothers with young children. Giving and receiving care were vital. Many of these women had to balance their parental responsibilities with their commitments to the campaign. As one explained:

Most challenging was probably the time [commitment required for the campaign], and [...] having to take so much time away from my normal activities and my home and whatever childcare responsibilities [I had]. [...] And sometimes there was a lot of pressure you put on yourself, and probably commitments you took [on for the campaign], that you [were] going: 'Am I going to be able to manage this?' (Ellen).

First time activists who became team leaders were often paired with those with previous political experience, which enabled knowledge sharing (McDonald et al., 2020). For example, the team leader for the large working-class district of Coolock, and one of our authors, was a US-born mother of four children who was new to leadership. From March to May 2018, she managed two evening canvassing events and one half-day weekend stall each week in her area. She was paired with another team leader, a Dublin city councillor with a decade's political experience in the area. The councillor utilised his knowledge to advise the best ways to canvass the area. In addition to coordinating canvasses and stalls, this team leader stored and distributed the materials for these events in her



**Figure 1.** Dublin Bay North Repeal the 8th, Leaflets, Badges, and High Visibility Vest. Photograph: K. Antosik-Parsons. Used with permission.

house (including high-vis jackets, clipboards, tally sheets and flyers) (see [Figure 1](#)). She later collected and managed leaflet and poster deliveries from the national TFY campaign for distribution to DBN team leaders.

In addition to DBN officers and team leaders, other roles important to our group included the social media team and merchandising. Three DBN members were responsible for managing our public and private Facebook pages, and the Twitter, Instagram and WhatsApp accounts. They also worked constantly to reply to new queries, put out relevant and interesting content, and share messages. When the canvassing started, pictures taken were sent to the social media team to post. There was considerable overlap between DBN officers, team leaders, and the social media team, which was important because experienced members could reassure new joiners of the days and times when they could attend a canvass, and provide people with a personal point of contact on the day.

The merchandise was an important fundraising mechanism for the group and it enabled the group to be financially independent from the TFY national campaign. The merchandise person strategically printed and marketed T-shirts and badges. She linked in with a T-shirt company from which her partner had previously sourced football jerseys. Using her ingenuity, she marketed a batch of misprinted shirts, for which the group were not charged due to the error, as ‘once off’ T-s: the demand for these was high. She independently purchased a badgemaking machine, and her bespoke badges were widely and freely distributed within the constituency and later nationally, when other groups put in requests for specialty badges. This ‘pay-it-forward’ attitude enabled other groups to use the badges for their own local fundraising, a quality characteristic of the collective and generous spirit of the campaign. A small-batch production of a ‘Kates Together for Yes’ badges even captured the imagination of then Fine Gael TD Kate O’Connell who sported hers proudly. DBN officers were in awe of the fundraising:

[M]ost campaigns that I’ve been involved in always end with a deficit—we’re out of money, we don’t have enough money. This one was the reverse, we made a constant stream of money on fundraising through T-shirts. And people identified with the local Dublin Bay North T-shirt! (Carol).

DBN merchandise also functioned as a visible marker of the local DBN Repeal community.

DBN leaders deployed many talents. Interpersonal skills, or ‘people skills’ as one leader called it, included building confidence (for members as well as leaders), creating an inclusive space for people to become involved, developing clear communication and language skills, and learning to listen. As one team leader noted:

I think it was really important to [...] be very personally welcoming to them [new members] and try and build that one-on-one relationship with everybody on the team (Maeva).

The social media team also worked tirelessly to make DBN Repeal seem friendly, responsive and engaging. The immediate welcoming and personal contact made with new members was critical, for, from the genesis of the group and throughout the campaign, DBN Repeal leaders were determined to add members. Growing the campaign meant that people from local communities would become empowered to make meaningful change in their city and society; it also meant more ‘feet on the street,’ enabling the group to cover the entire constituency with canvassing and public events.

Multiple interpersonal benefits accrued for all members when canvassing. While door-to-door canvassing, known as ‘ground campaign,’ has long been employed in local and national elections in Ireland, it was not typically a feature of referendum campaigns until the Marriage Equality Referendum (2015) (Elkink et al., 2017). The act of asking strangers and/or neighbours their views on a controversial topic required respect and empathetic listening, again a form of giving care. This was often a scary experience for first-time canvassers. One team leader said she tried to:

Just make people feel comfortable. Give them the information and hopefully the confidence to then go and do more (Hannah).

Even experienced campaigners gained new skills:

I think I would have definitely improved my listening skills because it was different to political canvassing in a sense. I think there were more stories at the doors, there were even arguments at the doors (Siobhán).

Approaching neighbours who held strong beliefs meant also learning to accept a diversity of views. As one team leader recalled:

You had to remain incredibly calm, even when one of your neighbours is chasing you down the street. [...] There was one particular occasion where we had a man run down the street at two of our canvassers [...]. In those situations, you needed to be able to defuse it (Noreen).

Leaders also described having to be ‘emotionally supportive’ of their teams, particularly when canvassing situations were challenging.

A skill that many experienced team leaders learned was being respectful of all members’ needs, which meant for one person: ‘to give everybody space’ (Brian). When considered in terms of the larger group’s models of leadership defined above, this form of responsible feminist ethics meant creating spaces that were open and inclusive. For the same team leader:

You don’t have to direct everything. And everybody’s opinion and views are as important in a campaign like this (Brian).

Another team leader reflected that they learned to read a room at the meetings, maintaining an awareness of those who may have been quieter and checking in with them afterwards. For yet another team leader, it was critical to make it

[...] as easy as possible for people to link in with process, both to participate and feel that they had a share in it (Anna).

DBN members and leaders also gained experience and confidence in professional organisational skills, including coordinating large groups, managing time effectively, and using social media as an organising tool. Indeed, as one team leader noted:

one of the reasons why they’re [new members] likely to come back is because of the professionalism and the organisation of the team leaders (Eoin).

Members developed their communication and technical skills as part of the social media team while advancing the DBN campaign. They identified and linked in with the online presence of activists to ensure DBN Repeal tweets reached large audiences. The team kept up to date with the developments of national and local campaigns, making DBN tweets relevant by scanning a vast number of online media sources to condense ideas down into a 280-character Tweet (Anna). The DBN WhatsApp group enabled information to be shared quickly and allowed team leaders to make key decisions about organising canvasses, information stalls, and other activities in their locales.

Team leaders also gained transferrable skills, learning how to communicate with members within one’s neighbourhoods, managed primarily through WhatsApp, but also through private text messages or phone calls for members not on social media. Though it could be time consuming to personally respond to every question about logistics or messaging, leaders did so to ensure that each person felt looked after:

There was so many new people coming in, some through WhatsApp actually, for the first time—that was an extra job for those people [social media and team leaders] actually. Because if somebody new asked a question and is not responded to they might take that personally; they might feel like they [DBN] don’t care. They might think they asked a stupid question or something like that. [...] I don’t know if you can quantify that, just how much time those group leaders spent looking after that aspect of

organising the campaign at a local level. But it was crucial to the campaign in terms of the functioning of the local groups (Eoin).

Ultimately, creating supportive spaces for its members was the most powerful practice in building confidence and trust amongst its members. We now turn to the ways that DBN leaders encouraged the participation of members.

## **CARING-WITH: FEMINIST SOLIDARITY**

Creating inclusive spaces of care, empowerment and support fostered solidarity as a potent affective force in DBN Repeal. There are many potential bases for solidarity within feminist movements. Sisterhood has served as a powerful collective identification in many contexts (Fox-Genovese, 1991), despite critiques of essentialism (Willis, 2012). Writing of leadership within feminist movements, Hyde (2018) suggests that a belief in the collective can be felt as an almost mystical or magical sense of solidarity, or a ‘collective charisma’. Yet there was relatively little explicit evocation of sisterhood in the survey responses and interviews, perhaps because it may have been implicit. However, the movement for abortion rights, while led by women, welcomed men into its activism which was defined by bridging (Petray, 2010). Solidarity in this way rested upon empathy with those most immediately affected. As in other activist movements, empathy mobilises the energies of others and, in turn, supports those most in need as they make public demands for redress. Santos (2020) suggests that empathy and solidarity are mutually nourished in a politics of care. Indeed, as DBN Repeal activists testified, the movement embodied trust, respect, plurality, and solidarity very much in the manner of Tronto’s (2013) notion of caring-with.

In this section, then, we consider how feminist forms of caring-with built an inclusive feeling of feminist solidarity for DBN members across their differences of age, activist experience, and residence. Most of our 400–500 volunteers joined in mid-May 2018, many who had no prior experience of activism, and yet the referendum fell only weeks later. As suggested above, key tasks assumed by leadership included integrating, sustaining and informing the new volunteers. Creating an ethics of caring-with others also resulted from DBN leaders’ ability to instil confidence, create inclusive spaces for members and strangers, and support on-the-ground experiential learning, what we describe elsewhere as a feminist pedagogy (McDonald et al., 2020).

Leaders instilled confidence in a number of ways. For many first-time activists, the prospect of cold-calling at a stranger’s home or working an information stall to discuss what, for some, is a very contentious issue, was daunting. Team leaders were keenly aware of this, many of them having been in a similar position only months previously. To introduce new members to canvassing, DBN used a ‘buddy system’ which paired newer volunteers with more experienced members (McDonald et al., 2020). Team leaders paired individuals in female/female or female/male teams and would direct this process as a form of caring for the new recruit:

You need to buddy them up, be very straightforward and talk to them after and ask ‘Would you feel like coming back, how did you find that, were there any issues?’, and buddy them up with someone that would be experienced. It’s all about the new person (Niamh).

Before each canvass, team leaders would also hold a briefing to instigate discussion of topical issues or typical questions that had arisen on recent canvasses. Team leaders gave encouragement at the outset of the canvass, reminding people that they didn’t need to know everything and could call on them by phone for assistance if needed.

While canvassing, team leaders often fulfilled an organisational role, making sure everybody was safe and not too far behind, marking off areas covered, keeping late arrivals updated through WhatsApp, and ensuring there were enough materials to go around. As one member reflected:

There was a lot to do around getting people enthusiastic, being clear about what we needed people to do. I felt that as a team leader my job was to be an organiser, to make my area the type of place where people who wanted to be involved could step in and participate (Anna).

Here we see that giving confidence to new members meant not only encouraging people, but making sure canvassers had a clear message. The success of team leaders and the campaign in instilling confidence can be seen from the results of our survey of members conducted in June 2018. Of respondents who canvassed, 68% were first-time canvassers and yet 95% of respondents had confidence in the facts and arguments while canvassing. This is quite an extraordinary achievement given that the majority of team leaders were themselves first-time activists with only a couple of months more experience than those they were now integrating into the movement.

Team leaders coordinated organisation and logistics at the neighbourhood scale through WhatsApp chats, smaller pre- and post-canvass discussions, and in public while campaigning. In all of these settings, team leaders created inclusive spaces for dialogue and mutual support. For example, WhatsApp became spaces to ask questions

at constituency and neighbourhood levels. While primarily used as a vital tool for organising by team leaders, neighbourhood WhatsApp groups offered separate discussion chats not directly related to campaign activities for all members. People used this social media platform to share the times and places of local activities, gauge numbers of attendees, live track during canvasses, provide feedback, and reach consensus on issues as they were happening. This level of support made it easy for people to try out an activity and gain confidence, which led to enthusiastic participation. These positive experiences empowered members to return and try out new forms of activism. The group's larger monthly meetings described earlier were open to all members, and team leaders encouraged people they got to know in their neighbourhoods to attend these personally. Our survey shows that the significant majority of people who attended meetings felt involved in decision making, with ideas and concerns listened to and discussed. Members who indicated they did not feel part of decision making were predominantly very late joiners, and most acknowledged being happy to follow the lead of experienced members (McDonald et al., 2020).

Canvassing was an activity highly valued by DBN members. The organisation of the canvass was central to creating ethical spaces of dialogue. The horizontal leadership culture within DBN Repeal established the value of building egalitarian spaces of communication and learning locally. Pre-canvass briefings and post-canvass debriefs fostered supportive face-to-face discussions. While prior briefings were important to keep people up-to-date and to address concerns, debriefs gave people a chance to decompress and talk through their own experiences. One member replied to our survey that canvassing was 'thought out and thorough'; another remarked that 'the canvass leads were well-organised, inspiring and motivational' (DBN.06.18.86, DBN.06.18.05). While canvassing was bookended by briefings and discussion, spaces of encouragement and support were threaded throughout and mobile. Often team leaders checked in with members throughout a canvass, offering support and encouragement if someone had been at a difficult door. Inclusivity and care on the canvass were often remarked upon in our survey. One respondent referred to the 'kindness and patience shown to us who were first-timers,' and another reflected that they only 'got involved toward the end [yet] still felt extremely valued' (DBN.06.18.86, DBN.06.18.36). The feminist ethic of care also extended to the people being canvassed:

The areas I worked in were very densely populated which meant that you had doors that were side-by-side, so we never canvassed these doors at the same time. To give people that little bit of space (...) people are talking about sensitive issues (Noreen).

This approach, together with the buddy system, can be thought of as learning by doing or experiential learning. Giving people space for strangers to share their stories also drew upon the approach of campaigners from the previous Marriage Equality referendum in a manner of 'affective vulnerability' (Fischer 2020: 985). DBN members also shared and listened to personal stories while canvassing:

I suppose sometimes I would have a knot in my stomach around sharing personal information about myself, but there were times where I felt really empowered after doing it and I would feel like I had a connection with someone. When I began to open myself up people would tell me their stories. And that was really powerful for me, particularly when I would knock on someone's door and someone would tell me either their abortion story or a story about adoption, marital rape, domestic violence; these things that I hadn't expected to be told. (...) It was just so much more than just about the Eighth Amendment, which was really overwhelming for me sometimes (Anna).

Unpredictable encounters epitomised the dialogic, participatory and experiential learning that was central to the DBN campaign, a feminist pedagogy facilitated by team leaders (McDonald et al., 2020). As we have argued elsewhere, generating knowledge through conversation, both with each other and with people at their doors, is a form of empowering feminist pedagogy (McDonald et al., 2020). The self-confidence built during canvassing was created through relations of mutual trust and care: reliance on team leaders to coordinate actions in their neighbourhoods, confidence in fellow members' ability to canvass with respect, and care and support for each other and strangers. Team leaders facilitated these relations and led by example. In another form of giving care, this team leader also directed people canvassed to counselling organisations like the Irish Family Planning Association if they became distressed about issues arising from their own experiences. Moreover, emotions causing discomfort may be useful in generating new and co-constituted knowledge, especially when vulnerabilities are acknowledged and shared with others (Pileggi et al., 2015). Giving care and accepting care anticipate a new way of making society, and Tronto's (2013) caring-with presages a social order quite different to the patriarchal hierarchies from which feminist praxis strains to keep its distance. The radical potential of accepting care for a praxis of caring-with is numinous in the account of one team leader who had developed the confidence to tell her own story while canvassing:

Being in the position that I was in as a person who has had an abortion, I was sharing my own personal story [at the] doors. And when I first started canvassing, I was really hesitant to do that but (...) I decided

that it was really important for me to talk about my personal experience with people. Because I knew that destigmatising it and saying, ‘Hey I’m a woman who has had an abortion and it’s a normal thing, people make this choice, you know lots of people do and it’s nothing to be scared about!’ was really important for me (Anna).

This example illustrates how the DBN campaign went beyond the national campaign’s emphasis on abortion as ‘safe, and rare,’ insisting instead, as Cullen and Korolczuk (2019: 16) propose, that abortion must ‘be accepted as a commonplace, essential and life-giving decision for all who choose it’.

In relaying another story, this same team leader described a situation in which she was supported by her colleagues. Seeing some new volunteers engaged in a heated debate at an information stall, she approached and sought to engage empathetically by telling her own story. However, the hostility grew and as she withdrew, the DBN members she had given care to reciprocated:

The six other people that I was with formed this circle around me, and the level of support that they gave me was amazing. And I remember several of them coming over [and asking me], ‘Are you ok?’, hugging me. You know [telling me to] ‘Take a couple of deep breaths’, [and] ‘It’s O.K.’ and [pause]—it was this amazing exchange that we had. I had stepped forward to protect them in a sense, but then afterwards, they were protecting me (Anna).

Mutual relations of giving and accepting care are the basis of caring-with, the affective basis of a profound movement culture.

## **POWER-TO: FEMINIST AGENCY AND PARTICIPATORY DEMOCRACY**

In her overview of participatory democracy, Polletta (2002) finds that the affective roots of trust, respect, and caring can license informality and exclusivity. Informality can confine power within a friendship circle and exclusivity means that groups often fail to move beyond the circle of association or friendship upon which they were founded. A study of Occupy Pittsburgh reported similar findings and underlined the tendency of open meetings to favour the most vocal and belligerent, often at the expense of those marginalised for whose interest the movement declared itself (Smith and Glidden, 2012). In this section, we review the extent to which the exercise of leadership and power within DBN Repeal courted the risks identified by Polletta (2002) and by Smith and Glidden (2012), while considering how feminist leadership functions as capacity (power-to) rather than coercion, ‘as energy and competence rather than dominance’ (Hartsock, 1983: 224). Studies of activist engagement stress the importance of egalitarian and participatory structures that ‘encourage the continued involvement of members’ (Bunnage, 2014: 435). Effective leadership sustains ‘the agency of other participants’ (Morris and Staggenborg, 2004: 174), but for feminists, this agency is not only individual but also collective.

Almost all (98%) survey respondents looked back on their time with DBN Repeal as a positive experience. Elaborating upon their answer, several referred to the group as inclusive and efficient. One said that the campaign ‘was run with honesty and with integrity,’ while another described the leadership as ‘incredibly effective’ (DBN.06.18.19, DBN.06.18.76). Participatory democracy imposes its own constraints and one member

found the need for consensus on every little thing frustrating and slowed momentum, especially at the start, but I know that’s how these groups have to work (DBN.06.18.62).

Several noted nonetheless that effective leadership allowed inclusion. DBN Repeal was ‘very organised at the top, but dedicated to hearing out other members (which could be [...] loud)’ (DBN.06.18.104). Not every member chose to engage with decision making but many still felt they gave their consent:

There was strong consistent leadership and direction but I felt it was democratic and was never forced to do anything at all. I was not involved in major decision making but on the things I worked on I was given the necessary freedoms (DBN.06.18.06).

Some noted the ease with which they could drop in on different DBN actions and still feel a part of the collective group: ‘I was informed of what was happening on a daily basis and could choose when I could participate’ (DBN.06.18.101).

The feminist culture of sharing power within the group was important for members and that the style of leadership was acknowledged by survey respondents, regardless of experience. Inclusivity was vital and in this sense DBN Repeal exemplified Dewan’s (2010) observation about a coherent ‘movement activism’ in Irish feminism defined by shared goals. In contrast so-called ‘waves’ of feminist activity are associated more with expressing a singular identity. As one DBN Repeal member commented, it was ‘incredible that such a traditionally disparate

group came together and achieved so much positive work' (DBN.06.18.47). Certainly, there was tremendous diversity within the group, including, as noted above, many young people in their first political campaign (Holborow, 2018a). Yet even experienced activists recognised DBN Repeal as special, as 'one of the best organised grassroots campaigns that I've been involved in 26 years of political activity' (DBN.06.18.103). The transformation of people through their engagement in the movement did not mean burying prior differences in a common cause. One member said that DBN Repeal 'probably changed my life in that I don't think I'll ever not be an activist now' (Maeve). Another said that they were 'absolutely transformed,' gaining 'so much confidence to be able to deal with different things' (Noreen). In the survey, another member said that it was one of the 'most uplifting, engaging, reassuring, educating experiences of my life,' and that the leadership team was 'polite, friendly, inclusive and encouraging' and 'could not have made the campaign any easier' (DBN.06.18.56). Another member, described this culture of feminist solidarity and the personal transformations it produced in this way:

I have been involved in many campaigns but I have seldom encountered such enthusiasm, energy, and spontaneous capacity for organisation. Everybody literally lent all their talents and imagination towards making our work effective. Newcomers were quickly integrated—partly because they were required to canvass and that meant immediately putting themselves forward on the doorstep as spokespeople for the campaign. Everyone's political development literally took off and the result was a strong group of people united around a pressing cause (DBN.06.18.66).

The political development of the group and its commitment to inclusivity developed the culture of caring-with while grounding the group's sense of solidarity, self-confidence and autonomy. Kennedy (2015), co-founder of the umbrella organisation The Coalition to Repeal the 8th, formed in the months following the Protection of Life During Pregnancy Act (2013), correctly anticipated that the efforts of a large-scale grassroots movement would be necessary to legalise abortion and regulate it like other models of women's reproductive health care. DBN Repeal was an early response to her call for grassroots' organisations, established already in August 2017. While there were a range of types of feminist strategies in the local activist groups across the island, DBN was situated closer to the feminist activist end of the continuum identified by Connolly (2020: 51) as those 'preferring direct action' and what de Alwis (2009: 87) describes as a 'politics of refusal'. In contrast, liberal feminists at the other end of the spectrum worked 'closely with the Fine Gael-led government, establishment obstetricians and even celebrities', and included the new TFY national campaign, launched in March 2018 (Connolly, 2020: 51). Despite the encouragement of the Citizen's Assembly's conclusions the previous year, the national campaign followed a 'politics of request' (de Alwis, 2009: 87) that highlighted a white, middle-class strategy of respectability modelled closely on the earlier national Marriage Equality campaign. To the activists of DBN Repeal, it appeared that TFY was addressing the most cautious among those who might be persuaded to accept some sort of gradualist reform of Ireland's abortion laws, shifting the discursive focus of the abortion debate 'from "choice" to "needs"; from "rights" to "healthcare", and from judgement to empathy and compassion' (Barron, 2019: n.p.). The stories and language of TFY also highlighted 'good' abortions, such as heteronormative parents' decisions to terminate pregnancy in cases of fatal and severe foetal anomaly, rather than including the range of reasons, stories and voices for those seeking choice and reproductive rights, including working-class, trans and migrant women, and sex workers (Niamh).

After intense debate, DBN Repeal chose to maintain its independence from the national campaign. The compromise solution was to affiliate with the national campaign, but for DBN Repeal to retain its name and separate identity. Maintaining our organisational and financial autonomy enabled us to produce our own posters and leaflets, using our own words, stories and messaging. By this time, DBN Repeal had spent more than a half-a-year campaigning on a more radical platform that refused to stigmatise women who sought abortions for socio-economic reasons (Enright, 2018; Taylor et al., 2020). Experienced DBN Repeal activist Marnie Holborow (2018b: 45) disputed the need to accede to the strategy of having a tightly controlled message, arguing that the mass campaign had 'hundreds of activists only too aware why they are for Repeal and these activists are getting live feedback on the doorsteps and on the streets'. One of the authors remembers the group meeting at which officers asked how DBN wanted to respond as a group. The TFY message felt, to them, like a slap in the face, as though all the decades of feminist activist work, including their work now, was being forgotten in an abundance of caution. The very group claiming to speak for women seemingly now had little faith in the central message relayed by all the local and grassroots activists: 'Trust Women'. Proudly wearing DBN Repeal badges and hoodies stating 'A Woman's Place is in the Revolution'—challenging the Irish Constitution's framing of a woman's place as in the home—members rejected TFY's focus-group constructed messages of sympathy and limited change, and instead raised funds to print our own leaflets and posters that proudly included words like 'CHOICE' on them. The diluted TFY message seemed contrary to the inclusivity of caring-with as developed within our community of activists. It also felt like a concession to the Catholic Church's denigration of women's bodily autonomy (Fischer, 2019). One study of debates on the message boards of Irish national newspapers showed that some Catholics can reconcile a right to abortion with their personal faith (Sambaraju et al., 2018). However, the official position of the Church is



hostile. Negotiating access to ‘a defensive, almost apologetic endorsement of abortion’ (Ralph, 2021: n.p.) acceptable to the majority of practising Catholics might prepare the way for a service that fell far short of the demands made by generations of feminist activists.

DBN Repeal members had the confidence and solidarity to stand apart from the national movement when the stakes could not have been higher. The group saw TFY as a campaign that mobilised women but seemed to have adopted a masculinist politics of centralised direction (Motta, 2013; Seppälä, 2016). For DBN Repeal, a feminist politics of care developed and retained distinctive and radical demands for legislation and delivery (Duffy, 2020)—a clear example of developing collective agency within the campaign. The broad impression from our survey results was that members felt they could get as involved with decision-making as they wished and trusted the collective leadership to direct a successful campaign. This was especially true for those that identified themselves as ‘late joiners’. Our clear focus upon a proximate goal (getting a ‘Yes’ vote for Repeal in the referendum) no doubt directed attention away from organisational matters that have often fostered dissension within feminist and other social movements (Mueller, 1995). While this may be argued for the DBN campaign, the same cannot be said for the national TFY campaign. In the months following the referendum many thoughtful reflections highlighted TFY’s conservatism, failure to challenge restrictive draft legislation, and exclusion of migrant and ethnic minority, disabled and trans voices from the national campaign (Burns, 2018; Campbell, 2018; Enright, 2018). The restrictive Health (Regulation of Termination of Pregnancy) Act 2018 focused on harm reduction over agency (de Londras, 2020) and disproportionately restricts abortion access for some of those from ‘the messier edges of the campaign’ (Burns, 2018: n.p.), and in this respect continues the legacy of the 8th Amendment (Side, 2020).

## CONCLUSION

Power and leadership are important elements of any social movement. DBN Repeal drew upon the experiences of Irish feminist activists practicing a ‘politics of refusal’ rather than the ‘feel safe’ campaign advocated by mainstream liberal feminist approaches (after de Alwis, 2009). We highlighted how, at the grassroots level, DBN established a movement that privileged horizontal relations of solidarity and inclusion, over vertical relations of domination. Examining how solidarity and inclusion worked, we noted the particular importance of an ethics of care. Relations of caring for and accepting care reinforced each other, allowing for new members to be integrated, sustaining the confidence of leaders, and modelling a way of being together that anticipated a broader communitarian ethic of caring-with. This practice of caring-with brought the group together, elicited untapped capacities from individuals, and allowed the group to incorporate learning from feminist empowering praxis. Members of the movement frequently mentioned these values when describing their positive experiences in the campaign. They also remarked upon the transformation of people through their engagement in the local group. The direction of the national campaign challenged this new-found assurance and consciousness, for TFY sought empathy with singular difficult cases rather than general support for female bodily integrity. Our feminist collectivist approach of power-with, caring-with, and power-to took DBN Repeal into a radical campaign for Choice. DBN Repeal began with this ethos, retained it, and thereby provided the confidence for our members to animate a conspicuously successful turn-out for Yes.

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## Ordinary and Extraordinary Images: Making Visible the Operations of Stock Photography in Posters Against the Repeal of the 8th Amendment

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### ABSTRACT

The operations of stock photographs, as utilised by the Irish anti-abortion lobby, have not been examined before. Many of the 'Vote No' posters in the 2018 Irish referendum campaign on the 8th amendment maintained a visual and textual focus on foetal personhood: asking the Irish electorate to 'love both,' while deploying a range of stock photographs. In this article, I trace specific stock images used on anti-abortion posters against Repeal back to their online image bank sources. I make visible the role of generic or stereotypical photographs in anti-abortion messaging, in the knowledge that stock photographs often function best when masking their ideologies as 'natural' systems of belief. As global anti-abortion campaigns increasingly co-opt the arguments and look of 'progressive' campaigns, using ordinary rather than extraordinary photographs, global image banks seek new markets by producing feminist and gender rights-oriented stock photographs. Meanwhile, versions of the 'classical' images in the visual repertoire long-favoured by anti-abortion campaigns continue to be remediated. Image banks also function as *de facto* online archives of editorial photographs of both pro-choice and pro-life activism - yet another facet of the role of stock photography in the visual economy of abortion.

**Keywords:** stock photography, Ireland, anti-abortion messaging, posters, image banks

### INTRODUCTION

*Yet although these images are ubiquitous, they are also so unexceptional that our encounters with them have no duration, and are not marked off as noteworthy events or experiences* (Frosh, 2003: 1).

The role of stock photography<sup>1</sup> in anti-abortion messaging by the 'Vote No' side during the 2018 Irish referendum campaign on the 8th amendment *is*, I would argue, noteworthy. Stock photographs are consistently overlooked, underestimated, and not attended to, but their cultural and infrastructural reach is immense. Aiello (2016: n. p.), writing in *Ethnography Matters Blog*, describes them as 'the visual backbone of advertising, branding, publishing and journalism'; they are essential to understanding how people engage with media content 'across genres, platforms and borders'. From their 'formulaic repetitiveness and monumental redundancy' to their 'yearning for authenticity,' stock photographs appear innocent in how they construct social and political stereotypes, but they also function to reinforce 'such apparent uniformity' (Frosh, 2003: 215). Paul Frosh asks if it is possible to move beyond the standard critique of stock photography as a 'malign cultural power,' to pay closer attention to the images themselves, our habituation to them and how they signify in terms of publicness, visibility and engagement (Frosh, 2020: 7). Because if we continue to overlook stock photographs and their operations, how can we understand the ways in which the generic photograph or 'genericity' is strategically deployed in both visual and political culture?

On 25 May, 2018, the Irish electorate voted to repeal or overturn the 8th amendment to the Irish constitution in order to legislate for legal abortion. Introduced in 1983, the 8th amendment or *Article 40.3.3*<sup>2</sup>, made abortion

<sup>1</sup> Frosh (2003: 3) defines stock photography as: 'a global industry which manufactures, promotes and distributes photographic images for use in marketing, advertising, sundry editorial purposes...'

<sup>2</sup> *Article 40.3.3* of the Irish Constitution or the 8th amendment states: 'The State acknowledges the right to life of the unborn, and, with due regard to the equal right to life of the mother, guarantees in its laws to respect, and, as far as is practicable, by its laws to defend and vindicate that right.'

illegal in Ireland except where there was a ‘real and substantial risk of loss of the mother’s life’. This effectively prioritised foetal rights over the basic rights of women and girls. A very brief introduction to Irish abortion politics leading up to the 2018 referendum campaign will be provided later in this article.

The role of stock photographs, as utilised by the Irish pro-life movement, has not been examined before. The use of images and visual artefacts has, of course, always significantly impacted political campaigns about abortion and the fight for reproductive rights globally. As Sandlos (2000: 80) states:

It would be difficult to locate a political struggle in which images have played a more central role than they have in debates over reproductive choice.

An updated and more expansive approach to using stock photography by anti-abortion organisations in Ireland was notable in the 2012 to 2013 multi-sited poster and billboard campaign mounted by pro-life organisation Youth Defence. Many of their on-street presentations were drawn from ‘globalised’ and widely disseminated anti-abortion stock images for English-speaking audiences, although local nuances and specificities were taken into account. Five years later, a close analysis of ‘Vote No’ posters deployed during the 2018 referendum campaign offers an opportunity to produce new knowledge about how stock images are being used by Irish anti-abortion organisations.

What can be seen as the rise of the more generic photograph in global campaigns against abortion has taken place at the same time as the role of ‘official’ photographs for both pro-life and pro-choice positions is arguably less important. This can be attributed to the impact of social media, the adoption of more mixed-media messaging and the incorporation of user or campaigner/activist-generated content. After decades-long campaigns of misinformation using predominantly ‘extraordinary,’ graphic photographs of foetuses or ‘foetal remains,’ pro-life organisations and activists increasingly incorporate the ordinary, unremarkable photograph in their repertoire, paired with a more positive, ‘moderate’ toned text which mimics the look of socially progressive campaigns. Saurette and Gordon (2013: 180) write of such developments in anti-abortion discourses in Canada and the US (2013 and 2016) where anti-abortion messages are presented as modern, equalist and, in fact, pro-woman. However, Browne and Nash, discussing the heteroactivist tropes operationalised by the No side during the Irish referendum campaign, caution against exaggerating the influence of North American anti-abortion tactics on the Irish context; this may result in a failure to ‘recognize the geographical (and cultural) specificities of how resistances are created and manifest’ (Browne and Nash, 2020: 53).

‘Old media’, such as political posters, remain influential and relevant forms of communication in Irish electoral campaigns. Lorna O’Hara argues that one can interpret the Irish struggle for reproductive rights as ‘a battle over access to public space,’ given that until recently ‘pro-life groups completely dominated public spaces with their posters and advertisements, attempting to control public discourse about abortion’ (O’Hara, 2020: 166). Posters had both symbolic and cultural value for Yes and No sides in the 2018 campaign. Certain No posters immediately galvanised public condemnation, while perceptions about the timing, installation and placement of posters more broadly figured as harbingers of success or defeat in the referendum outcome. The sheer mass of posters on streets across Ireland during the campaign meant that the streets functioned as proto visual battlegrounds, and funding drives to print more posters quickly over-ran their targets<sup>3</sup>. Posters were interrogated, intervened with, hacked and pulled down. They were an ‘always on’ form of ambient, visual messaging. Images of streets thronged with Yes and No posters were used by the international media as visual shorthand to represent the abortion debate in Ireland. The extent of the impact of posters was acknowledged on the day of the vote: in an exit poll by Behaviours and Attitudes for RTÉ<sup>4</sup> it was revealed that the Irish electorate believed that posters had had a 10% influence on their voting decisions.

The focus of this article is photography, specifically a visual and textual analysis of posters using stock photographs by organisations campaigning for a No vote during the 2018 Irish referendum campaign. Paying attention to and speculating about the role of stock photographs in anti-abortion visual discourses, as well the corporatised nature of stock photography itself, is the second objective. For a fee or for free, online image banks provide every kind of photographic image used by the pro-life movement, although given the polysemy of photographs, these images are not always constructed with this purpose in mind. Classical or stereotypical images, such as Madonna and child shots, used in anti-abortion messaging may end up being perpetually remediated, remaining in circulation on posters and ephemera for years – this is a measure of the stock image’s success. Free or monetised images of foetuses are equally available on image bank websites. Increasingly, they are packaged as

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<sup>3</sup> See: <https://www.thejournal.ie/together-for-yes-crowdfunding-3957637-Apr2018/> (Accessed 27 June 2021).

<sup>4</sup> See ‘When Will the Posters Come Down?': <https://www.rte.ie/news/newslens/2018/0528/966672-election-posters/> (Accessed 14 July 2021).





**Figure 1.** ‘Low Poly Fetus Inside the Womb.’ Source: Ekaterina Glazkova/Adobe Stock. Used with permission.

decorative, cute and sentimental, such as **Figure 1** from the Adobe Stock website. This image was used extensively by anti-abortion protesters in Warsaw during the 2021 ‘Women’s Day Without Compromises’<sup>5</sup>.

Global image banks have an additional stake in providing access to other visual representations to do with abortion: namely selling documentary or editorial images of pro-life and pro-choice activism online, functioning essentially as *de facto* online archives. Because of an in-built imprecision around terms, keywords and image categorisation in order to maximise profit, searching on image banks for either pro-life *or* pro-choice activist images often yields a mixture of the two, creating a blurring of two radically different political positions. What can we learn about the role of photography in anti-abortion discourses by tracing the stock photographs on ‘Vote No’ posters during the Irish referendum back to their ‘origins’ on image banks? And can we speculate about the impact of such often undervalued generic images more broadly in relation to the issue of abortion, while image banks and stock photography corporations simultaneously co-opt feminist discourses on gender and women’s rights for greater financial gain?

## A BRIEF INTRODUCTION TO IRISH ABORTION POLITICS

*After almost thirty-five years of activism, agitation, hardship and litigation, the 8th Amendment was finally removed from the text of the Irish Constitution following a referendum on 25 May 2018 (de Londras et al., 2020: 2).*

Abortion laws ‘reflect broader social and political debates about gender, sex, and community’ which, in relation to the foundation of the Irish state, were exemplified in the bans on divorce, married women working in the public sector, contraception and abortion (Smyth, 2005: 7). A conservative sexual and gender order was imposed in Ireland as an outcome of the political and social power wielded over and within the state by the Irish Catholic Church. In equating the term ‘mother’ with ‘woman,’ the 8th amendment perpetuated Irish women’s social status as mothers first and foremost, drawing on the nationalist image of a productive maternity originally enshrined in *Article 41.2*<sup>6</sup> of the 1937 constitution. Such an order existed alongside the promotion of a nationalist myth premised on the cultural and religious exceptionalism of the Irish (Browne and Calkin, 2020: 9). Thus, long-standing efforts to prevent the legalisation of abortion in Ireland also functioned to support an idealised, ethnic view of Irishness (Fletcher, 1995).

Linda Connolly reminds of us of how the long-fought and ultimately successful campaign to repeal the 8th is ‘interconnected with a longer and broader history of feminist activism’ (Connolly, 2020: 36). Irish women campaigned on issues of bodily autonomy from the late 1960s onwards, mobilising firstly around the legalisation of contraception and then abortion (Connolly, 2020: 36). The Women’s Right to Choose group was formed in

<sup>5</sup> Women’s Rights activists in Poland marked International Women’s Day, 8 March 2021, by protesting the near total ban on abortion which came into effect in January 2021.

<sup>6</sup> *Article 41.2* of the Irish Constitution states: ‘The State shall, therefore, endeavour to ensure that mothers shall not be obliged by economic necessity to engage in labour to the neglect of their duties in the home.’

1978. Following the introduction of contraception in Ireland, the Pro-Life Amendment Campaign (PLAC) was formed in 1981 as an umbrella of 14 groups leading the campaign for a constitutional amendment ‘designed ‘to guard against the future legalisation of abortion’ (Connolly, 2020: 55). Barry (1988), in her account of the 1983 referendum campaign examines the emergence of powerful, Catholic anti-abortion organisations such as Society for the Protection of the Unborn Child (SPUC) and Family Solidarity. SPUC, in particular, became notorious for their visual tactics and the use of graphic images of foetuses on posters and ephemera. Following the ‘X’ case in 1992, which established a right to abortion in the case of a risk to the life of the mother, the anti-abortion organisation, Youth Defence, was formed. Youth Defence currently describes itself as ‘Ireland’s largest and most active pro-life organization, led by young people who believe that life is worth protecting.’ Its relationship to photographic images and stock photography came into relief in 2013, when it was investigated to determine whether or not it had breached the licensing agreement for using an image of a young, white woman in the ‘Abortion Tears Her Life Apart’ poster and billboard purchased from iStockPhoto<sup>7</sup>.

The death of Indian dentist, Savita Halappanavar, as a result of an incomplete miscarriage in 2012, was a hugely significant event in the history of Irish abortion politics: a moment of mobilisation for the pro-choice movement in Ireland and ‘desire for change quickly galvanised around a simple demand: REPEAL’ (de Londras et al., 2020: 2). Rather than amend the existing 8th amendment, pro-choice activists and organisations coalesced around the call for its complete removal from the constitution, as well as an end to treating abortion as an exceptional practice separate from social and legal regulation. de Londras et al. (2020: 6) note that ‘between 1983 and 2018, the relationship between religion, politics, and society in Ireland was transformed’. ‘Together for Yes’<sup>8</sup>, the Irish national civil campaign organisation was formed to campaign for a Yes vote, or the repeal of the 8th amendment, once the referendum was announced. On the No side, there was a notable secularisation of anti-abortion messaging and the absence of overt Catholic Church involvement. Nonetheless, ‘repeat players,’ or legacy organisations connected to the church across the years, continued to challenge any moves towards progressive gender, sexual and reproductive rights (de Londras et al., 2020: 5). ‘Love Both’ (founded in 2016), and ‘Save the 8th’ (founded in 2018), were the key players or coalitions of organisations fighting to retain the 8th amendment and oppose the introduction of legal abortion in Ireland.

## NOT CEDING THE VISUAL TERRAIN TO THE NO SIDE: FOR AND AGAINST PHOTOGRAPHS

Photography is a signifying system at work in the world, but critically analysing and interpreting photographs is still regarded as a specialist skill. Stock photography remains largely invisible in its operations to the viewing public, and while tools such as semiotic analysis and visual literacy training encourage us to ‘read’ photographs as complex texts, the consistent dismissal of stock photographs due to their ubiquity makes their critical interrogation unlikely. Semiotics provides one method by which to interpret the connotations produced by a photograph, whereby the codes in the image are dependent on, but crucially not limited by, what is literally in the frame - the photograph’s content or denotation. But the content of a photograph, regardless of its indexical quotient, always only serves up fragments of reality. Petchesky, in her discussion of the co-option of the foetal photograph by the pro-life movement, acknowledges the limitations of photographs as she argues that ‘Fetal [sic] imagery epitomizes the distortion inherent in all photographic images: their tendency to slice up reality into tiny bits wrenched out of real time and space’ (Petchesky, 1987: 268).

The photograph may equally be viewed as ambivalent: what Barthes (1977a: 17) describes as ‘a message without a code,’ a version of reality but one which can conceal its construction and ability to carry ideologies due to the photograph’s unshakeable association with objectivity and truth. This characteristic is more pronounced in stock photographs, which are set up and cast with models yet often appear neutral, naturalistic or snapshot-like, manifesting social, cultural and political meanings despite themselves. Is it possible for any one single photograph to communicate a fixed meaning or message to a mass audience? Posing this question in relation to the pro-choice movement, Sandlos (2000: 88) asks: ‘Can one image reflect the discursive struggle to define and redefine a movement’s objectives and the conditions of political subjectivity over time?’

‘Together for Yes’ eschewed the use of photographs on their posters in favour of a text and graphics design strategy. In an interview conducted by Photography/Archives/Ireland with Sinéad Kennedy, member of the executive committee of ‘Together for Yes’, she discussed the decision against using photographs as being not just

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<sup>7</sup> See: <https://www.thejournal.ie/youth-defence-abortion-image-investigation-533369-Jul2012/> (Accessed 20 May 2021).

<sup>8</sup> ‘Together for Yes’ was launched on 22 March 2018. It was co-led by the National Women’s Council, the Coalition to Repeal the 8th Amendment and the Abortion Rights Campaign. It was joined in the Executive Committee by the Irish Family Planning Association. See: <https://www.togetherforyes.ie/about-us/who-we-are/>.



**Figure 2.** ICBR protestors outside the Four Courts, Dublin, June 2018. Photograph by Ann Curran.

about devising a counter-strategy to the photographs used by organisations on the No side, it was not about ‘ceding the visual terrain,’ as famously discussed by Petchesky (1987: 264):

On some No posters, you saw photographs of women with six month old babies or two or three month old babies presented as though they were newborns or in utero. This sort of image was not what we were trying to reflect or counter. What we felt was the central concern of people was that this is not an easy decision, it’s a complex decision. And I mean, how do you reduce that kind of complexity to a photograph? I don’t think you can.

Concerns about the photograph’s inability to adequately represent the complexity of decisions in relation to abortion were uppermost for ‘Together for Yes’, as they sought to reach the undecided voter. Their most widely-disseminated poster featured the slogan ‘Sometimes a Private Matter Needs Public Support’, evincing an ethics of care and respect around the issue of abortion rights. A text and graphics formula without photographs had also been used for the posters advocating a yes vote in the 2015 ‘Marriage Equality’<sup>9</sup> referendum campaign to grant equal rights to the civil institution of marriage for same-sex couples. There was, therefore, a logic in maintaining that design strategy and visually connecting these two issues as related social reforms and rights-based issues. Additionally, both ‘Marriage Equality’ and ‘Together for Yes’ posters were designed by the same Dublin-based graphic design company *Language*.

On the other hand, photographs were extensively used by the ‘Vote No’ or anti-abortion organisations on their campaign posters and ephemera. There was an updating of familiar tropes in stock images in the pro-life image repertoire, with better quality and higher-resolution photographs deployed alongside a more contemporary design approach to image and text. There was evidence too, of a smoother genericity and relatability in how photography and design were used to soften the anti-abortion message. There was thus a strategic performing of the ‘ordinary’ alongside the more ‘extraordinary’ images and messages from ‘Save the 8th’ and ‘Love Both,’ which, as Browne and Nash (2020: 55) remind us, were not homogenous entities. Both organisations presented a different approach to using photographs and different visual arguments on their posters. The ‘Love Both’ organisation opted for a generally more relatable tone and appeal, in contrast to previous Irish anti-abortion campaigns, and in step with the transnational ‘updating’ of contemporary anti-abortion discourses. Saurette and Gordon (2013: 158) note that such tactics are ‘increasingly colonising and employing explicit arguments, principles and narratives that have traditionally been associated with progressive feminist, pro-women and pro-choice movements’. ‘Save the 8th’, however, in its poster presentations remained largely foetocentric and ‘traditional’ in how it absented images of women, framing abortion as equivalent to killing babies. Their posters combined stock images with triggering forms of textual address, echoing earlier Irish pro-life campaigns aimed at shaming women and equating abortion with murder. The most graphic photographs deployed in the campaign against Repeal were those of dismembered foetal remains on the large banners used by the Irish Centre for Bio-Ethical Reform (styled as ICBR). The banners are seen in **Figure 2**, as ICBR activists assembled to protest the referendum result outside the Four Courts in

<sup>9</sup> ‘Yes Equality: The Campaign for Civil Marriage Equality, a new independent nationwide civil society group was launched yesterday 9 March 2015 at the Rotunda Pillar Room. The group was formed to coordinate and lead the campaign to win the Marriage Equality Referendum on May 22<sup>nd</sup>’. See: <https://www.iccl.ie/archive/yes-equality-the-campaign-for-civil-marriage-equality-formally-launches/> (Accessed 28 July 2020).





**Figure 3.** ‘Pro-Life Protestor in Dublin City Ireland.’ Source: Mark Henderson/Alamy Stock Photo. Used with permission.

Dublin in June, 2018. Arguably, having such images in circulation during the referendum campaign functioned to position some of the more objectionable No posters using stock photographs as moderate by comparison.

### BACK TO THE BANK: ‘EDITORIAL’ VERSUS ‘CREATIVE’ STOCK PHOTOGRAPHS

In order to both provide context as to how stock photographs function and demonstrate my methodology in tracing photographs on ‘Vote No’ posters back to their image bank sources, I will begin with a sample image which combines the two main genres in stock photography available from image banks: editorial photographs and what Getty Images describes as ‘creative’ photographs. **Figure 3**, ‘Pro-Life Protestor in Dublin City Ireland,’ is for sale on the Alamy website. This image is dated 19 January 2013 and corresponds with the extensive poster and billboard campaign mounted by Youth Defense during 2012 and 2013<sup>10</sup>.

**Figure 3** features an elderly woman in a rain poncho holding a poster outside Merrion Square Park. Dubliners will know that Merrion Square is situated across from Holles Street Maternity Hospital, an ongoing site for anti-abortion protests. To purchase this image on Alamy, there is a suite of options corresponding to ‘rights-managed licenses’ for downloading and using the photograph: these range from ‘personal use’ at \$19.99 (a ‘non-commercial, one-time, personal use’) to a ‘marketing package’ for \$199.99, which allows the image to be used in a marketing campaign by a ‘large business of more than 10 employees.’ In between, there are prices for rights-managed licenses to reproduce the photograph in magazines or on websites and, based on each option, the file may be downloaded at different resolutions. Beyond these functional parameters, which are germane to all stock photography websites, there are important details about ‘releases’ and ‘model releases’ which restrict usage. Captioning for an editorial image may provide detail about the event pictured, but in the case of this photograph an extensive text in the ‘more information’ field begins:

The Pro Life Campaign is a non-denominational human rights organisation, drawing its support from a cross-section of Irish society. The Campaign promotes pro-life education and defends human life at all stages, from conception to natural death. It also campaigns for resources to support and assist pregnant women and those in need of healing after abortion.

Moving to the photograph on the poster that the pro-life protestor is holding, it features a close-up image of a young, blonde-haired, white woman, nominally a mother, who is smiling while she nuzzles her blue-eyed baby. This posed and constructed ‘creative’ stock photograph appears ‘naturalistic’ or generic, signifying motherhood, but the woman in the image is most likely a model. The text ‘Love Them Both’ and two graphics of hearts are placed to the left-hand side of the image with the strapline ‘Abortion Kills One, Hurts Another’ running underneath. Notably, the harsh tone of the strapline is at odds with compassionate message of the larger text ‘Love Them Both’, as the poster dates from 2013 when the ‘abortion hurts women’ argument was prominent in the US and Canada (Saurette and Gordon, 2013: 171). The global pro-life movement in English-speaking countries continues to use this same poster today, albeit with modified straplines.

<sup>10</sup> See: <https://www.thejournal.ie/readme/abortion-billboards-youth-defence-pro-choice/> (Accessed 26 May 2021).



**Figure 4.** ‘If Killing an Unborn Baby at Six Months Bothers You, Then Vote No’ poster by ‘Save the 8<sup>th</sup>’ Photograph by Ann Curran.

To trace the photograph on the poster back to its image bank, I made a selection or screen grab of the image of the mother and baby and uploaded it to Tin-Eye Reverse Image Search (<https://tineye.com/>). This yielded a number of ‘hits,’ all based on image recognition algorithms, including exact copies of the image as well as similar images. A reverse image search is a content-based image retrieval (CBIR) technique, whereby you provide the CBIR system with a sample image upon which it bases a search query without the need for keywords or search terms. This brought me to the Adobe Stock website, where a full-resolution version of the photograph, titled ‘Baby and His Mother,’ is for sale. It is in the ‘parenting’ category, retrievable using adjectives such as ‘angelic’ and ‘adorable,’ but also generic keywords like ‘baby’ or ‘boy.’ It displays as one of a series of mother and baby shots by two Dutch commercial photographers at 2XSamara.com, and continues to be sold today, nine years after its appearance on this poster. I followed this same method of selecting the photograph on the ‘Vote No’ poster and uploading it to Tin-Eye Reverse Image Search for all stock photographs in the following analysis.

## PERFORMING THE ORDINARY: STOCK PHOTOGRAPHY IN POSTERS AGAINST REPEAL

A political poster and its meanings are ‘negotiated within specific geographical, historical and ideological positions’, and the poster may figure as ‘a fluctuating discursive structure’ made of images, text and graphic elements (Aulich and Sylvestrová, 1999: 12). Every time a photograph appears on a poster, it is usually joined with language ‘as caption, headline, surrounding text, intertitle, or spoken voiceover or dialogue’ (Kotz, 2006: 513). Without text, the photograph may convey a deep ambivalence, and posters in a political campaign are not usually designed to signify ambivalently. In Barthes’ (1977b: 37-41) extended argument about ‘the rhetoric of the image’, he elaborates on the relationship between text and the photograph, saying that text may function as ‘anchorage’ or alternatively as ‘relay’. In the case of ‘anchorage,’ the text appears to be equivalent to what is in the image—it anchors the meaning of the photograph, reinforcing to the viewer what it is they see. With ‘relay,’ the text and image relationship is more complicated and potentially even antagonistic, whereby the combination of image and text creates a meaning that could not have been achieved by each element separately.

**Figure 4** was one of the most controversial posters produced by the No side in the 2018 referendum campaign, the poster which generated the most complaints to Dublin City Council (Ní Aodha, 2018). It features a stock photograph of a pregnant woman’s elaborately painted belly, with a painted-on image of a happy, full-term baby curled up in the womb. The drawing is pastel-hued on a stark, white background thus separating the image from the woman’s skin colour (white) and producing a crude *trompe l’oeil* effect. Drawn in naïf style, the baby is positioned upside down as though in utero, with the umbilical cord shaped into a bright pink heart and framed by decorative birds of varying colours. Cropped to display the stomach alone, it emphasises the woman’s body as vessel or incubator, denying her identification with her own pregnancy and promoting the autonomy of the foetus-baby

inside. This image can be categorised in the genre of maternity photography, with the ‘baby-bump’ shot generally marketed as a celebratory image of pregnancy. In ‘baby-bump’ photographs made by professional photographers, it is not unusual for a headless, pregnant body to be presented. Other tropes in this genre include the holding of a printed sonogram image of the foetus over the pregnant belly.

The stock photograph used in **Figure 4** is titled ‘Maternity’ and was made by Mario Trainotti, an amateur photographer and Catholic academic based in Brazil. It is available to download for free on the Pixabay image bank website. On Pixabay however, the skin colour of the arms on either side of the pregnant belly is darker than the version presented on the poster, suggesting the skin tone in the image was lightened for the Irish audience. The overall use of colour in the image and complimentary pink in the outlining of the text, makes the poster appear bright and appealing, especially perhaps to children. The colour palette is in sharp contrast with the shrill tone of the textual address above the photograph which reads: ‘If Killing an Unborn Baby at Six Months Bothers You Then Vote No.’ The text, when read with the photograph of the painted belly, functions as relay rather than anchorage – it produces an entirely different reading of the image which could not be deduced from encountering the image alone. Erected by ‘Save the 8th’<sup>11</sup>, this poster once again asserts the primacy of the individual rights of the foetus and equates abortion with murder, while simultaneously seeking to mislead the public about the introduction of late-term abortions, or abortion without term limits, as the probable outcome of a Yes vote. On *Save8.ie*, the poster was displayed with a link claiming that the Irish government was deceiving the electorate about restricting abortion term limits, that abortions up to six months would be optional under the legislation, which was false. Complaints made to Dublin City Council about this poster were explicit<sup>12</sup>.

The use of such a photograph demonstrates how trends in photography naturally feed into the production of stock photographs and how attentive the pro-life lobby is to popular visual culture. The genre of the pregnancy shoot is long-established, but its more recent variation is the painted, pregnant belly photograph. Images with nature-based motifs, full landscape scenes, representations of fairy tales, or even scenes from Disney films, are either hand-drawn or painted on the belly using stencils. This elaborate, fantasy image of the foetus-as-baby emerges in stock photography and popular culture as a generic, relatable image which can, in turn, be remediated as an anti-abortion image.

The defining of Irish womanhood in terms of the maternal function has been interrogated by Smyth (2005). In **Figure 5**, a stock photograph of mother and baby in quasi-religious pose, an image of blonde-haired woman with her sleeping infant was used on a poster by the political party Renua<sup>13</sup>. As with most social archetypes in stock, the same standards of tidy, good-looking but not too beautiful white people or babies is evident. The mother’s eyes are modestly cast down rather than making eye contact with the viewer, while she holds her clean, white, baby conveying her submissive role in this idealised depiction of maternity and functional femininity. The photograph is titled ‘Newborn Baby in a Tender Embrace of Mother at Window’ and is available on eight different stock websites, including Adobe Stock and microstock sites such as Shutterstock and Canstock. The image is, as many stock photographs are, ‘referentially ambivalent’ in that it depicts a ‘realistic’ scene in time and space but is staged by models. It is also ‘interpretively ambivalent’ because it has a number of potential connotations in relation to a celebration of maternity and family. While the intimacy of the pose suggests a general, idealised view of motherhood, it registers as locally specific to Ireland being reminiscent of Irish Catholic iconographic representations of women as mothers, such the image of mother and child on the cover of the 1951 ‘Mother and Child Scheme’<sup>14</sup> booklet and the Marian stamp from 1954<sup>15</sup>.

<sup>11</sup> See: <https://www.save8.ie/> (Accessed 20 May 2021).

<sup>12</sup> One complainant wrote: ‘I work in the hospital and I feel that these “Vote No” posters are very insensitive and could be very upsetting to some of our patients. I think the location of these posters, which display an image of a naked woman with a baby painted on her stomach, are very inappropriate outside of a maternity hospital which specialises in the care of very sick women and babies.’ See Ní Aodha (2018), More than 150 complaints about ‘graphic’ and ‘false’ referendum posters sent to Dublin City Council, *TheJournal.ie*. 2 June.

<sup>13</sup> *Renua* is a registered political party in Ireland which describes itself as: ‘Ireland’s patriotic and socially conservative party that stands for the protection and promotion of the things that are essential to our individual and collective quality of life: strong families, safe communities and an independent country that is prosperous and run fairly for the benefit of all’. See: <https://www.renuaireland.com/> (Accessed 20 May 2021).

<sup>14</sup> The Mother and Child Scheme was a proposed healthcare programme in Ireland which evolved into a major political crisis involving the Irish government and the Catholic Church in the early 1950s. A brochure, ‘What the new service means to every family’, was prepared but was not issued to the public. See: <https://www.theirishstory.com/2013/06/19/the-controversy-of-womens-health-the-mother-and-child-scheme-the-role-of-church-and-state/#.YG1uMelKjYI> (Accessed 20 May 2021).

<sup>15</sup> A stamp featuring the Madonna and child by Luca Della Robia was issued in Ireland in 1954 in celebration of the ‘Marian Year’. A stock image of the stamp is available for purchase on shutterstock.com. See: <https://www.shutterstock.com/image-photo/ireland-circa-1954-stamp-printed-marian-117482191> (Accessed 20 May 2021).



**Figure 5.** 'Be My Voice, Vote No' poster by Renua. Photograph by Ann Curran.



**Figure 6.** 'Vote No' poster by 'Love Both.' Photograph by Ann Curran.

The text 'Be My Voice' is positioned at the top of the poster on a blue background above the photograph. This entreaty to 'be my voice' is part of the extended strategy of ventriloquism in anti-abortion messaging, aimed at presenting the voice of the foetus or baby as an individual with rights, as discussed by Berlant (1997). The speaking subject of the poster is not the adult woman or mother, but the baby who asks to be represented in the debate. Again, the operations of what Barthes (1977a, 1977b) calls 'relay' are at work in this image-text combination: nothing in the actual image itself suggests the primacy of one subject over the other, mother or baby, as the image alone might simply be read as an archetype of harmonious motherhood. But the text, in combination with the stock image and context, produces a new message that could not be understood if they were separate.

An alternative example of a white mother and child image is seen in **Figure 6**. In this instance, a woman wearing white is holding a small boy on the street, smiling and looking directly at the camera. By virtue of pose and physical proximity, they are presumed to be mother and son. The photograph could equally be a snapshot on someone's phone or in any family album. The social stereotype in stock functions best not when the representation is remarkable but when it is ordinary, yet ordinariness in stock photography still requires conspicuous staging. There





**Figure 7.** ‘No Abortion on Demand’ poster by ‘Love Both.’ Photograph by Ann Curran.

is no text, strapline or slogan per se, except for the name of the organisation ‘Love Both’<sup>16</sup> printed in cerise pink. The text or logo in this instance functions as anchorage rather than relay: it confirms that we see two individuals in this image and asks that we, the public, love both of them equally. But, in the context of the referendum campaign, this presentation of genericity implies a vote to retain the 8th amendment and prevent legal abortion in Ireland will allow this image of productive motherhood and heteronormative order to prevail.

A final poster by ‘Love Both’, **Figure 7**, features a white, newborn baby asleep and wrapped tightly in a white blanket on a white backdrop above bright pink text stating ‘No Abortion on Demand’. The ‘No’ is enlarged for emphasis to almost the same size as the baby. The photograph, called ‘Newborn Baby Boy Wrapped in Blanket’ by Catherine Ledner, is available on the Getty Images image bank. Alternative tags for this image include: ‘new life photos,’ ‘white photos’ and ‘innocence photos’. Stock images of white babies’ bodies may circulate via greeting cards or inspirational mood boards but outside of these sites they have the potential to be co-opted as weapons. The image of such a white baby on a clinical, all-white backdrop is explicit in its proposition of a universal whiteness. People, babies or children in the stock photographs used by the No side were uniformly white, indicative both of the dominance of whiteness in stock photography, despite recent attempts by image banks to represent greater diversity, and the desire to present Irishness as white. Rivetti (2019: 181) argues that the referendum campaign was, in fact, a ‘missed opportunity to reconfigure Irish identity—which continues to rest on being white, Catholic and settled’. The text on this poster, ‘No Abortion on Demand’, functions antagonistically as ‘relay’ once again, whereby the combination of image and text creates a meaning that could not have been achieved by each element separately.

## NO LONGER EXTRAORDINARY: FOETAL IMAGES ON IMAGE BANKS WEBSITES

*The fetuses on the posters have no mothers. They are advanced for their age. They have grown-up thoughts. They choose their words carefully. They know how to get your attention (Fitzpatrick, 2018).*

Here, consultant obstetrician and gynaecologist Chris Fitzpatrick describes the effect of the posters on the street, specifically the ‘Vote No’ posters featuring foetuses. Despite the softer appeal of ‘Love Both’ posters, which mimicked the look of progressive political campaigns using more generic images and relatable modes of address, the number of posters and ephemera featuring foetal images on the No side remained plentiful. Posters such as ‘Save the 8th’s ‘License to Kill?’ poster featured a close-up of the foetus, emphasising its humanity and how abortion ‘relates directly to killing babies’ (Browne and Nash, 2020: 60).

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<sup>16</sup> ‘Love Both’ is described on its website as ‘a nationwide movement working to protect the right to life of all unborn babies and campaigning for support for women with unplanned pregnancies.’ See: <https://loveboth.ie/> (Accessed 31 July 2021).



**Figure 8.** ‘Vote No: My Heart Started Beating at 22 Days’ poster by ‘Love Both.’ Photograph by Ann Curran.

The role of visualising technologies in framing the abortion debate and contributing to the concept of foetal personhood is long-established (Haraway, 1997: 222). Duden (1993:14) discusses the close-up of the foetus by photographer Lennart Nilsson on the cover of 1980 edition of *A Child is Born*: ‘A bluish, pink figure with protruding veins sucking its thumb, the vaguely human face with closed eyes covered with a tissue veil’. The iconic image is, as we now know, an image of a dead foetus not a live foetus and since the 1970s ‘Nilsson’s photos of embryos and fetuses can be found everywhere in our mediatised culture’ (Jülich, 2015: 639). A similar, if not the very same image of a foetus was deployed on two fliers and one poster distributed by ‘Love Both’ during the referendum. On one flier it was used as an illustration to support the claim that ‘A Baby’s Heart is Beating by Just 22 Days’; on a different flier it was used to illustrate stages of growth for a foetus from 13 to 23 weeks. The same image, seen here in **Figure 8**, was then scaled up to street poster size and the text was changed to read ‘My Heart Started Beating at 22 days’, once more making the foetus speak.

This combination of image and text figures as a ‘classic’ representation in anti-abortion discourses, both of how ‘fetal images are central to the ideological construction of the fetus as a child with ontological and biological existence, which is independent of the bodies of women’ (Sandlos, 2000: 81) but also, given the context of a referendum, how ‘fetal citizenship contradicts the citizenship of women’ (Franklin, 1991: 201). As Berlant (1997: 98) writes: ‘The success of the concept of fetal personhood depends on establishing a mode of “representation” that merges the word’s political and aesthetic senses, inputting a voice, a consciousness and a self-identity to the fetus that can neither speak its name nor vote’. Efforts to revive arguments about when life begins, render women absent, court controversy and generally mislead the public were a constant in the 2018 No posters featuring foetal images.

Stock images of foetuses are readily available on most image bank websites. At the time of writing, there are 5792 ‘Fetus Premium High Res Photos’ for purchase on Getty Images using the AI-assisted search term ‘fetus’ and the filter ‘creative.’ This search generates a first page replete with multiple versions of foetal images including: sonograms; foetus dolls made of different materials, foetus dolls held in hands; pictograms and graphic renditions of foetuses; foetus silhouettes; maternity icons; and shots of pregnant women having ultrasound scans. Additional search terms are suggested on the page, using a double-term strategy such as ‘baby fetus’ or ‘fetus womb,’ introducing another problematic elision between significantly different entities. Other proffered categories by the search engine include ‘unborn fetus,’ appearing to endorse the anti-abortion movement’s longstanding tactic to claim an *in utero* foetus of any gestation as a viable baby. The range of visual images produced by the search for ‘fetus’ demonstrates an expanded interpretation of the search term, along with a muddling of image types. This tallies with Georgina Firth’s discussion of how the appropriation of foetal images by anti-choice groups has led to collapsing the specificity of a medical image with that of a photograph, in order to produce an image which is ‘invested with the powerful aura of a portrait’ (Firth, 2009: 59).

Maintaining the key search term as ‘fetus/foetus’ but switching the filter to ‘editorial’ on Getty Images brings up 3,440 images. Along with some of the exact same foetal images returned in the ‘creative’ search, this time there is extensive documentation of pro-life *and* pro-choice activism, featuring images of women protesting together in public space but on entirely different sides of the issue. Foetus dolls are cradled in the hands of protestors at anti-abortion rallies such as the ‘Love Both’ ‘Stand Up for Life Rally’ in Dublin on 12 May 2018, shortly before the referendum; a plastic foetus doll is held at a protest outside the Marie Stopes Clinic in Belfast in April 2016; or a rubber foetus doll is paraded at the ‘March for Family’ in Verona, Italy in March, 2019. However, on the same page of results are images of Polish women activists holding the banner ‘You will never walk alone’ in Lwowek Slaski, hometown of Marta Lempart, the leader of the Polish Women’s Strike in December 2020. There are absolutely no representations of foetuses in either of these images. Thus, images of political protest by directly opposing sides of the debate can present together in a search for ‘fetus’ on an image bank site, and signify broadly as *similar* images of protest around the issue of abortion, despite their diametrical opposition.

The famous Lennart Nilsson image on the ‘Love Both’ poster and fliers that began this discussion of foetal images on image bank websites, has become a stock image of a foetus by default due to its unauthorised circulation and use (Jülich, 2015: 639). Jülich (2015: 639) notes:

On internet forums, blogs and other websites, individuals and organisations use his fetal imagery to mobilise support for arguments about reproductive rights, sex education *and* abortion.

In order to fulfil its potential in the market, the coherence of the stock image has to be balanced with how the image can open itself up to recontextualisation along the production chain. Therefore, as Frosh argues, there is a persistent ‘dialectic of instability and stability’ which pervades stock photography. The stereotypical or generic image in stock photography repeats itself ‘pathologically’, over and over again in order to produce a relay between knowledge and identification that allows for it to function in a crowded visual field (Frosh, 2003: 107). The Nilsson image, in circulation since 1965, has become the stereotypical image of a foetus and what Duden (1993: 14) calls ‘part of the mental universe of our time’.

## COLONISING DIFFERENCE: STYLING STOCK PHOTOGRAPHS AS FEMINIST AND PRO-WOMAN

*In recent years, we have seen a deliberate attempt, on the part of Getty, to represent the company in politically conscious terms, and to address those points upon which the industry and the genre have received critique—particularly, the frequent resort to stereotypes* (Aiello and Woodhouse, 2016: 353).

Across the last ten years, and in line with neoliberal reforms bolstering monopoly capital power, the stock photography industry has become ever more concentrated in the hands of a small number of key corporations. Since 2016, Getty Images has been recognised as the dominant global force in stock photography, offering access to over 400 million royalty-free or rights-managed images at the time of writing. Aiello (2016: n. p.) describes how ‘we quite literally swim in an ocean of images that were made for and are distributed by very few big corporations. This has had significant ramifications for photography itself, as clients opt to purchase photographs from image banks over the hiring of a photographer, and distinctions between stock photographs and many other genres in photography have become increasingly blurred.

In ‘When Corporations Come to Define the Visual Politics of Gender,’ feminist scholars Aiello and Woodhouse (2016: 352) investigate how major corporations such as Getty Images respond to new trends in visual culture, purporting to challenge stereotypes in stock photography in order to make more ‘politicised images’. In 2014, Getty Images partnered with Sheryl Sandberg’s ‘Lean In Foundation’ to curate a selection of feminist stock photographs. These photographs are described as being ‘devoted to the powerful depiction of women, girls and the people who support them,’ and present images of ‘female leadership in contemporary work and life.’<sup>17</sup> Images of women in business or research roles, mostly smiling, feature alongside shots of women protesting for equal rights and shots of women with ‘we should all be feminists’ printed on their t-shirts. Examining how photographs from the ‘Lean In’ collection circulate, Aiello notes that they are often used in lifestyle articles which discuss how challenging it is for women to juggle work and motherhood (Aiello in Cain, 2017), thus reinforcing traditional ideas about the woman’s ‘place’ being in the home. How such images are deployed reveals once again how stock photographs may be co-opted to reproduce the very ideological trope they appear to be challenging.

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<sup>17</sup> See: <https://leanin.org/getty> (Accessed 27 July 2021).





**Figure 9.** ‘Stop Policing My Body’ poster by ROSA. Photograph by Ann Curran.

Getty Images’ ‘Genderblend’<sup>18</sup> category and keyword were launched in 2015. With Genderblend, Getty Images aims to represent gender as a ‘nuanced spectrum,’ portraying ‘gender identities and relations in ways that are both more inclusive and diverse.’ It also makes claims to be ‘harnessing feminist theory’ with its use of terms like ‘empowerment’ and ‘strong women.’ A sub-category is the Genderblend Transgender collection featuring 37,473 images. Only here does a less clumsy attempt at the representation of gender identity appear to be evident: not all subjects are smiling, they are photographed with partners and families, they take part in marches for transgender rights. Do such stock images have the potential for socially progressive effects as they become ‘mainstream’? Can we approach them with trust instead of suspicion, returning to Frosh’s (2020: 9) argument about whether stock photographs may be viewed as other than ‘malign,’ or as good ‘bad’ objects?

Getty Images’ intentions signal a drive to further dominate visual culture by corporate stock photography, to influence and monetise issues to do with gender, equality and race among others. In creating such resources, Aiello and Woodhouse argue that Getty Images is, in fact, simplifying and depoliticising issues to do with gender and identity, as part of an ‘active attempt to make the commercial photography both look and feel complex, concrete and political’ (Aiello and Woodhouse, 2016: 355). Infamous stock images like ‘Women laughing with salad’ still sell but now co-exist in the same visual ecosystem with the very concepts which challenge them. In harnessing feminist discourses to legitimise new representations of gender and identity in stock photography, Getty Images conceals and neutralises strategies for commercial gain as it moves into the realm of social critique, ‘and in doing so, also begins to colonise difference’ according to Aiello and Woodhouse (2016: 355). As Frosh (2003: 58) reminds us, image banks don’t merely respond to patterns of consumption, but themselves drive changes in cultural taste and trends.

In the 2018 referendum campaign, a distinctive Repeal poster by ROSA (Figure 9), the Irish Socialist Feminist organisation, featured a black and white photograph of a woman’s lower torso with the words ‘stop policing my body,’ handwritten across the belly. ROSA created this image specifically for the referendum campaign. A stock photograph of ROSA’s poster taken by Artur Widak/NurPhoto is available for purchase on Getty Images as an editorial image. It is notable how many similar ‘creative’ photographs with constructed versions of a DIY or agit-prop protest aesthetic in relation to women’s rights are currently for sale on a range of image banks. What registers as a distinctive, commissioned non-stock photograph can be copied, appropriated and reproduced. A new ‘creative’ stock photograph may thus be made based on an ‘editorial’ one in the visual economy<sup>19</sup> of the very same image bank.

<sup>18</sup> Getty Images Visual Trends Director, Pam Grossman, discusses Genderblend as a visual trend for visual branding and campaigns which can benefit from a blurring of the gender lines. See: <https://www.gettyimages.ie/photos/genderblend?phrase=genderblend&sort=best> (Accessed 27 July 2021).

<sup>19</sup> ‘Visual economy’ is a term to describe the systems which animate the production, circulation, exchange and consumption of photographs used by Deborah Poole in her 1997 book *Vision Race and Modernity: A Visual Economy of the Andean Image World*, Princeton: Princeton University Press.

## CONCLUSION

How the Irish anti-abortion movement uses stock photography has not been examined before. The generic photographs from global image banks which the 'Vote No' campaign used with enhanced design and production values, can be understood as a representational shift, relative to previous anti-abortion campaigns in Ireland. This is part of a strategy to construct more 'reasonable' visual arguments by some anti-abortion organisations, such as 'Love Both', while others such as 'Save the 8th' continue to make posters where foetal iconography and foetal personhood dominate. Stock photographs with compassionate sentiments for women who have abortions and are in need of 'healing,' as presented on posters during the 2012-2013 campaign by Youth Defence, were no longer in evidence by 2018. Women who were visible on posters were pictured mostly as mothers in thrall to the baby beside or inside them, but equally were presented as a danger to the life of that baby.

Van House and Churchill (2008: 296) suggest that 'what is remembered individually and collectively depends in part on technologies of memory and the associated socio-technical practices which are changing radically'. A contemporary stock photograph such as 'Maternity' on the 'If Killing an Unborn Baby at Six Months Bothers You Then Vote No' poster was potentially more memorable than a poster without a photograph by *Together For Yes*. But the notoriety of a poster like this worked against the anti-abortion lobby. In complaints submitted by the general public to Dublin City Council about 'Vote No' posters, they were repeatedly described as 'graphic', 'offensive', 'harmful' and 'inaccurate'<sup>20</sup>. As one citizen complaining to Dublin City Council wrote:

Please note that I have no issue with the No Campaign. It's just the very visual nature of these images is too much, and is reminiscent of the imagery that was used in the 1980s for the same aim. If you are of a certain vintage, you might recall how scary that was?

The stereotype in stock functions best not when it is remarkable but when it is ordinary. Yet ordinariness in stock photography requires conspicuous staging, theatricality, and construction. I have discussed the use of stock photography in representing certain key concepts, stereotypes, tropes and messages in anti-abortion discourses as well as campaign posters against Repeal. Organisations such as 'Love Both' sought to harness the visual genericity of images available on global online image banks, along with contemporary poster design, to reassure and counter negative perceptions of pro-life visual messaging, but also to potentially displace the archival visual memory of earlier Irish anti-abortion campaigns. This strategy failed. Irish anti-abortion organisations used a range of stock photographs to undermine women's rights and reproductive choices, concepts supposedly to the core of what corporations such as Getty Images now present as their feminist credentials. It would be a mistake, however, to regard the visual repertoire of anti-abortion discourses as static: it has demonstrated that it is equally capable of adopting new strategies, responding to new image trends and weaponising the generic to resonate in different and specific cultural contexts.

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<sup>20</sup> See Ní Aodha (2018). More than 150 complaints about 'graphic' and 'false' referendum posters sent to Dublin City Council, *TheJournal.ie*. 2 June.

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## Remediating Family Photography: Savita's Image and the Campaign to Repeal the 8th Amendment

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### ABSTRACT

Following her tragic death in October 2012, a snapshot of Savita Halappanavar became the face of the movement to repeal the 8th Amendment to the Irish Constitution prohibiting abortion. This smiling photographic portrait, which had originated in a domestic, familial realm, was re-appropriated and gained iconic status in the years that followed. In the aftermath of certain tragedies, images of the deceased and sometimes even their bodies can be co-opted by certain causes, becoming public rather than private property, to be used for a political purpose. This article will trace the image's trajectory from the family album to the streets of Ireland and the world. Savita's face was reproduced on a myriad of posters, flyers and on murals, in both its original photographic form and in other media, such as screen prints, paintings and illustrations. Drawing upon the work of Gillian Rose and Martha Langford on family photography and the vernacular, I will show how a quotidian head and shoulders portrait became symbolic of a kind of martyrdom, akin to the instantly recognisable images of political leaders and rebels. It will also explore the resonance of Savita's presence upon the street, giving a face to the cause for repeal, and embodying the human consequences of failing to provide abortion. Finally, the use of photography in performative protest, as well as its placement in temporary shrines and memorials (like those erected at the George Bernard Shaw public house, Dublin) will be addressed.

**Keywords:** photography, Ireland, vernacular photography, protest, abortion rights

### REMEDIATING FAMILY PHOTOGRAPHY: SAVITA'S IMAGE AND THE CAMPAIGN

On 14 November 2012, this colour photographic portrait (see [Figure 1](#)) appeared on the front page of the *Irish Times* accompanying an article by Kitty Holland and Paul Cullen (Holland and Cullen, 2012: 1). It was the first time that the Irish public saw the face of Savita Halappanavar, a thirty-one year-old Indian national, who died of sepsis in a Galway hospital on 24 October. Seventeen weeks pregnant and miscarrying, she was denied a termination as a foetal heartbeat was present. Her case perfectly encapsulated the dilemma faced by medical practitioners dealing with Ireland's prohibition on abortion. When he appeared at her inquest, the former master of the National Maternity Hospital, Dr Peter Boylan, said that had she been given a termination on the day she was admitted (21 October) or the day after, 'on the basis of probabilities, Savita would still be alive (...) by the time Savita's condition worsened and termination became [legally] possible, it was too late to save her life' (McGee, 2013: 15). It is the trajectory of this vernacular portrait and its role in the years leading up to the successful campaign to Repeal the 8th Amendment to the Constitution in 2018 that this paper will explore, thus showing how a commonplace photograph was propelled into the public realm, making Savita an icon and shifting the visual field from the foetus to the woman. Following its publication, Savita was to become instantly recognisable, not just in Ireland but on an international platform. Holland pinpoints how Savita's photograph moved from the domestic to the public realm:

Meanwhile I got in touch with another of Savita's friends in Galway, Mrdula Vaseali asking for any memories she might have of Savita and reminding her of the need for a photograph. 'If you have a good, clear close-up that would be great,' I said ... Attached to the email was a jpeg, a photograph which Mrdula said she hoped would be OK. It was that photograph, the image that was to accompany the story of *The Irish Times* front page and travel around the world. A dazzlingly beautiful young woman,

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**Figure 1.** Photograph of Savita Halappanavar which appeared on the front page of *The Irish Times*, 14 November 2012. Source: *The Irish Times*. Used with permission.

resplendent in her traditional dress for Diwali festival the previous year, beaming to the camera (Holland, 2013: 76-77).

This image began life as a friend's memento of a shared community event (Diwali celebration in Galway in 2011), accessible only to a discrete familial and community group. The photograph was initially chosen for publication not by a picture editor nor a journalist but by Savita's friend who felt it to represent and capture her essence. Nonetheless, decisions regarding its placement, scale and captioning were made within the flow of editorial and design departments and a managerial structure, all of which added to its reception and potency. Holland (2013: 79) acknowledged its immediate impact and refers to the relatively large scale of its reproduction on the newspaper page: 'the story appeared on the front page. Savita's face radiated, almost incongruously, across four columns'. The publication of this story was a pivotal moment on the road to securing abortion rights in Ireland and, as Field (2018: 613) notes, Savita's death was instrumental in 'galvanising the Irish pro-choice movement to renewed levels of activity'.

Savita's photograph was published as part of a daily newspaper (see [Figure 2](#)) and, in addition to appearing alongside the text of Holland's (2013) article, it had to compete for the reader's attention with others news stories, editorials and advertisements. On the front page of the print edition of *The Irish Times* on that day were other, shorter pieces relating to the country's on-going financial crisis, such as article by Martin Wall covering the country's health overspend and how it might be explained to the European troika (the group which oversaw the bailout of Ireland's economy). Another article reported upon the high salaries paid to fifty-seven senior bankers. The front page also included an advertisement for Maynooth University and, under the masthead, three banners announced features to be found in the newspaper's interior, namely a piece on Gaelic football clubs, the author Michael Haneke, and a Fintan O'Toole piece on Dublin's North and Southsiders. Savita's photograph, by far the largest non-textual element on the page, is centrally positioned and dominates our attention.

An analysis of the coverage over subsequent days shows that various photographs of Savita were reproduced in the newspaper. On the following day, the front page of *The Irish Times* again features her image: this time, a casual snapshot showing the young woman in a domestic setting. She is laughing and linking arms with her husband in a natural, relaxed way. On page two of the same issue, she is shown in a group photograph with children celebrating St. Patrick's Day. Many other photographs of Savita were reproduced in newspapers in the days that followed but it was this initial image, the one that appeared on the front page on *The Irish Times* on 14 November, that became iconic.



Figure 2. Front page of *The Irish Times*, 14 November 2012. Source: *The Irish Times*. Used with permission.

Subsequent analysis of the Repeal campaign has addressed its visual aspects but mainly within the confines of the Fine Art responses (Chan, 2019; Enright, 2020: 104-123; Godson, 2017; NicGhabhann, 2018, 553-568). This article’s emphasis is upon the use of a vernacular photographic image and its subsequent resonance with newspaper readers, consumers of social media, and its appropriation by activists and the general public. The term vernacular when applied to photography refers to ‘commonplace, ordinary, or colloquial photography as opposed to aesthetically based fine-art photography’ (Walther, 2019: 7). Studio portraits, snapshots, selfies, advertising images and work IDs all come under this term and vernacular photographs are by far the most ubiquitous form that the medium takes. Many of these images are formulaic, though this in no way diminishes their impact and resonance—especially with regard to family or domestic photography. Long dismissed by historians of photography, vernacular and familial photographs are now the subject of serious scholarship due to the role they play in both public memorial and political protest.

At this point, it is perhaps necessary to place Halappanavar’s death within the legislative context of Ireland’s abortion laws. This brief overview cannot supplant the rigorous studies (listed below) that outline the legal measures enacted since the formation of the state and the long campaign seeking reproductive rights which preceded 2012<sup>1</sup>. The 8th Amendment to the Irish Constitution was inserted into the Constitution by referendum in 1983 and it accorded an equal right to life for an unborn foetus as that of its mother. Later referenda gave women the right to travel abroad for an abortion and to receive information about abortion services. The 1992 X case centred upon a fourteen-year-old girl who had become pregnant through rape and wished to terminate the pregnancy. After an initial refusal, she was granted permission due to her being deemed at risk of suicide. The wording of subsequent rulings left a grey area with regard to how the threat to maternal life would be interpreted by medics and it is within this context that Savita’s death occurred.

Rose (2010), in her examination of the use of vernacular photographic portraiture in the wake of such attacks as the 7/7 bombings in London in 2005, described the kind of portraits that were in circulation in the aftermath;

<sup>1</sup> See Earner-Byrne and Urquhart (2019), Field (2018), Quilty et al. (2015) and Smyth (1992).



typically, they were snapshots cropped to facial close-ups, frontally posed, directly gazing at the camera. Likewise, in her examination of the vernacular portraits employed by families in the aftermath of the 2001 September 11<sup>th</sup> World Trade Centre bombings, Snyder-Körber (2010: 457) noticed that the ‘the frontal gaze forces us to confront the depicted at an eye level (...) Gaze meets gaze, and this means that the photographed are simultaneously objects as well as subjects of vision who claim our attention and perhaps demand even more’. The properties mentioned by both Rose (2010) and Snyder-Körber (2010) are very much in evidence in the Diwali photograph of Savita, who stares directly-perhaps accusingly-at the viewer. These images allow viewers to ask: *what if that was my daughter pictured there?* What would that feel like? We all recognise family photographs, meaning that when they appear in the intimate public sphere (a concept conceived by Berlant (2009)) as memorials of the abused and dead, we can all empathise with the grief and pain (Berlant, 2009: 109-118). Their pain becomes our pain, as we imagine what they must be suffering. As Rose (2010: 86) notes, ‘we become the intimate public sphere as we think and feel these things’. It is what we do with that pain and how it translates into action that is of interest for this paper. Why do some photographs resonate more than others and how does the changed social media landscape facilitate their circulation? The importance of personal testimony cannot be underestimated and indeed it was a feature of the 2018 campaign to Repeal the 8th Amendment that marked it as different from previous attempts.

The reaction to Savita’s story was immediate. Three days after publication, on 17 November, Mullaly (2012: 2) reported that the initial story had over 700,000 impressions, making it ‘the most read article in *The Irish Times*’ online history’. The online sharing and re-posting of both the reports and her image meant that the reach of the image had extended beyond *The Irish Times*’ relatively small (but influential) readership. In addition to national coverage, international media organisations had also picked up on the story and reproduced Savita’s portrait.

The grassroots response manifested with amazing rapidity in the form of street protest and activism. Within this realm Savita’s portrait was appropriated, re-contextualised and repeated in a variety of mediums. As Fletcher (2018: 241) noted, her death ‘triggered a performance of public mourning that promised to covert the unconverted to #Repealthe8th’. On 17 November 2012, 20,000 people took part in the *Never Again* march in Dublin. The date was Diwali, the Hindu Festival of Lights. Events to mark the festival in Galway were cancelled as a mark of respect to Savita, who had been involved in previous years. The following eyewitness testimony of the *Never Again* event highlights the centrality of her image:

Huge banners embossed with Savita’s face, encircled with lights, lit up as the sun went down on the march and left the 20,000 of us in darkness. When the march reached Merrion Square, most of those 20,000 people lit candles that we held in the dusk: for Savita and for our own failure as a country to enact a change that could have saved her. Two weeks later, the official launch of the Abortion Rights Campaign took place in the Gresham hotel (Doherty and Redmond, 2015: 273-274).

The role of the city and street protest in previous abortion campaigns was explored by Allen et al. (2014). NicGhabhann’s (2018) investigation of how the carnivalesque and the counter spectacle were deployed by abortion activists and artists between 2015 and 2017 looks at both public and virtual public spaces. The placards, banners and shrines depicting those who have suffered or lost their lives as a result of the amendment encouraged ‘the protesters to link the lives lost with “this body” that they have brought to the protest space’ (NicGhabhann, 2018: 558). This connectivity was further amplified through the shared space of social media which has a particular applicability for the ways that the banners showing Savita’s face came to be shared online (Hunt, 2019).

**Figure 3** shows how Savita’s photographic image was reproduced via stencil (with the addition of a halo of stencilled stars) for banners which were carried at the *Never Again* march in 2012. This simplified version mimics the aesthetics of earlier protest movements whilst also retaining the features which made her immediately recognisable. This treatment calls to mind the iconic depictions of Che Guevara or the photographs of the Irish Republican Hunger strikers of 1981/82 which were emblazoned on banners, posters, and murals. Some of the Savita banners at the night march were screen printed, whilst others were made with stencils. Both these processes are identified with the counter-culture and protest movements from the 1960s onwards. Initially used due to their inexpensive nature and quick production speed, the simplification of the photographic image with its removal of tone and greyscale also results in a striking, impactful image—a definite bonus for their use and display on the street. In addition to these factors, such processes now have an aesthetic cachet that overrides the sophistication of contemporary digital printing. Given the imperative to act immediately (the *Never Again* march took place only three days after the story broke) the stencil and the screen print represent the perfect medium with which to reproduce and spotlight the original photographic image within the urban environment. This swift reaction to appropriate and transfer the image from newspaper to banner provides evidence of its resonating power with a proportion of the population. The transfer of Savita’s image onto lanterns recalled her culture and Diwali the Hindu festival of lights where (oil lamps or candles) are burnt. Candles and votive offerings also had a long tradition within the Irish Catholic context where penny candles were lit and prayers said for the souls of the dead and for the intentions of the mostly female worshippers.



**Figure 3.** Rally in memory of Savita Halappanavar in Dublin, 17 November 2012. Source: William Murphy. Used with permission.

The simplification and streamlining of a photographic portrait for reproduction on banners or posters has a long tradition in the history of protest movements, with Alberto Korda's portrait of the Cuban revolutionary Ernesto 'Che' Guevara being perhaps the best-known example. Whilst this photograph did not originate in the domestic realm (it was originally taken by a photojournalist) its subsequent treatment and replication typifies the treatment of a photographic image when adopted by movements of protest. After Guevara's death in 1967, the press photographer's original image, which was created in 1960, was appropriated and reproduced on posters. For youth in twenty-first Century Caracas, the image of Guevara, even in its simplified form, is not something to be consumed passively; rather, it represents a call to action and an embodiment of community and collective action. It is not worn as a fashion accessory but is an image that challenges the viewer in an active engagement: 'the image of Guevara's face means not only that the viewer animates it somehow but also that the viewer is animated by it in turn. The process is not unidirectional' (Cambre, 2009: 361). In many ways this mirrors the response to Savita's image which many felt spoke to them, challenging them to act.

Within the Irish context there are precedents for familial or vernacular photographs crossing over to the public domain not least in the images of the Republican hunger strikers who died in 1981 at Long Kesh prison. Their families and supporters marched whilst holding posters showing the faces of the men and most were derived from family photographs (often of poor quality). The photograph of Bobby Sands, first of the ten to die, became iconic as it was transferred from its domestic realm to election posters, badges, and murals<sup>2</sup>. The original photograph was taken during his first internment in the Long Kesh camp where he was later to die. The amateur snapshot shows the long hair and wide lapels that typified the 1970s youthful fashion, within the setting of a group of young men. It was taken six years before his actual death and even though a more recent photograph was available (a prison mugshot) the earlier snapshot was deemed as more relatable: 'the function of the visual rhetoric repeated in all these images was to create empathy with the viewer; he is just like you, could be your own brother' (O'Connor and Close, 2011). Like the Savita photograph, the Sands image moved from colour to monochrome when it was applied to posters and banners. Although simplified it was not altered to such an extent that it was unrecognisable from the original. Notions of martyrdom are at play in the iconic photographs of revolutionaries and freedom fighters. In some ways, the image of Savita who had suffered at the hands of the state's unjust abortion laws fulfilled the characteristics of that status; albeit unlike Sands, this was involuntary. For many this martyrdom is problematic when applied to abortion rights, removing the narrative away from a discussion relating to healthcare and welfare.

Mortensen (2017) examines the appropriation of the 2015 photograph of the body of Alan Kurdi, a three-year-old Syrian boy, of Kurdish ethnicity, who drowned in the Mediterranean Sea. She explores the process whereby some images become iconic and some do not, placing an emphasis upon appropriation and how the image is shared, changed and spread. This appropriation is central to the creation of an iconic image and has a particular resonance in today's citational social media culture. Mortensen (2017) stresses that an image becomes an icon when it comes to personify a process or cause. Quoting Fuyuki Kurasawa, Mortensen (2017: 1148) defines personification as a 'representational genre that singles out a specific person's condition as a figurative and literal embodiment of the gravity or intensity of the suffering caused by a humanitarian crisis'. Alan Kurdi, whose photograph was reproduced upon murals and in artworks, came to stand in for the cruelties of Europe's immigration laws and the concept of Fortress Europe which allowed thousands to die as they fled war, persecution, and destitution. Likewise, Savita's image came to stand in for the injustices of Ireland's harsh abortion laws and the women they have harmed. This process of personification and appropriation is very much evident in the transmission and reception of Savita's portrait both online and in the streets.

<sup>2</sup> See Side (2021).



**Figure 4.** Mahadevi and Andanappa Yalagi, parents of Savita Halappanavar, holding her portrait, November 16, 2012. Source: Danish Siddiqui/ REUTERS / Alamy Stock Photo. Used with permission.

McDonnell and Murray (2019: 1-20) have analysed the media framing of Savita Halappanavar's death with a close inspection of Irish newspaper coverage and framing of the subsequent debates on abortion issues in the months following her death (November 2012 to January 2013). They identified four frames employed by the media after her death: Public Tragedy, Political Opportunity, Abortion Legacy and Maternal Health. They acknowledge that her name became 'indelibly linked to the changing course of abortion politics,' and that her photograph was, indeed, iconic (McDonnell and Murray, 2019: 2). They also note that her story was employed by the media to avoid a rights-based narrative around abortion, instead allowing a more conservative discussion to take place under the guise of the four framings they had identified. In many ways this suited the hesitant and fearful political parties. Interestingly for this article, their analysis of the framing, especially under the heading of Public Tragedy, fails to mention the role played by the photograph of Halappanavar that appeared alongside the initial text by Kitty Holland. In passing, it is mentioned as the 'now iconic image,' yet there is no further mention of its role or impact. Further, their analysis targets the textual elements of the media coverage in isolation from the photographic elements which were reproduced and consumed in tandem with them on the pages of the newspapers. Their emphasis is placed upon the arguments and standpoints put forward by the journalists, the reception from the readers being somewhat more difficult to quantify. The impact of the photograph of Savita was surely a factor in how that newspaper was consumed and which parts of the abortion debate were emphasised by the general public who would eventually vote in the referendum.

It is necessary to state that this naming and picturing of a woman associated with the injustices of Ireland's abortion regime was quite unprecedented. We had no photographs and until recently did not know the names of those involved in the high profile (though anonymous) cases which highlighted the injustices of the constitutional amendment. In some ways, this is understandable; there is a need to respect the privacy of the vulnerable women who have been at the centre of these difficult scenarios. These situations were on-going and complicated. In contrast, Savita's husband and family wanted to bring her story to a wider audience, both through their retelling of events and the dissemination of her image and biographical details. The fact that Savita was married and that her pregnancy was longed for did make her case more sympathetic to a cohort who felt little or no empathy with the many Irish women who travelled to the United Kingdom (and elsewhere) for abortions (Rossiter, 2009). In the decades following 1983, fear of censure and judgement silenced most Irish women who had undergone abortions, regardless of their own sense of the validity of their decisions. The reasons for this are manifold but, as Fletcher (1995: 63) noted in 1995, 'exploring the reasons for Irish women's post-abortion silence reveals a cycle whereby a political discourse which has evolved without acknowledging women's experiences then becomes instrumental in silencing those experiences'. Public personal testimony came later and slowly.

In **Figure 4** we see Savita's parents in India, seated in a domestic setting holding an enlarged photograph of their daughter. The framed image was taken during her wedding ceremony and is more formal than that which was reproduced alongside the Holland and Cullen article. Their portrait alongside it has a long tradition in the history of family photography, whereby a photograph comes to stand in for the missing relative. As Batchen (2004: 12) notes, with regard to nineteenth-century daguerreotypes enacting a similar trope: 'holding a photograph within a photograph answers the need to include the virtual presence of those who are otherwise absent'. In reference to one of the victims of the 7/7 bombings in London, Rose (2010) notes that a bereaved mother commences her interview on the day of the bombing holding a photograph of the young man and states: 'This is Anthony.' Not *this is a photograph of Anthony*, or *this is what he looked like*. The photograph was making her son present.





**Figure 5.** Poster and billboard, Dublin, March 2018. Photo Credit: Andrew Flood. Used with permission.

Noble (2018) opens her article on family photography and human rights with a description of a similar photograph that appeared in the Argentine daily the *Clarín*. The photograph showed a young man holding two family photographs. Typically, these photographs would be considered ordinary objects, however, the caption reveals that their context ‘whilst sadly familiar, is anything but ordinary’ (Noble, 2018: 43). The images show the Tarnopolsky family (parents and daughter) who were disappeared by the military dictatorship in 1976. The photograph displays the conventions of family photography, but the family photograph has acquired emblematic status in the context of human rights activism in Argentina. Whilst Noble’s essay concentrates upon South America, she asks questions of the use of photography on behalf of any human rights violation, attempting to answer what its mode of appeal is and what political and emotional work is done by such photographs. Photography has emerged as a centrally important medium in the material culture of protest and struggles for justice (Allmark, 2008; Taylor, 2001). These photographs within photographs where surviving family members hold up a once innocuous image have become a type of photographic performance, replicated in the aftermath of Savita Halappanavar’s death. The audience for this photograph is international, its strength being dependent on a widespread circulation, and its aim being what Keenan (2004: 435) calls the ‘mobilization of shame’ directed towards the perpetrators or those with power. There is a performative action to the photograph of Savita’s parents alongside her portrait. The act of holding the photograph is adopted on the understanding that it will result in a certain type of image - one which will go into circulation and elicit reaction or empathy. People know what the resultant photograph will look like and what its effect on the media’s audience will (likely) be. This is the ‘affiliative look’ referred to by Hirsch (1999: xiii) regarding the affective response that is elicited when looking at family photographs of those we don’t personally know. This emotional response can bring about a form of intimacy and affinity. Smith (2017: 165) has cautioned against the ‘affiliative look’ which she feels may over-simplify situations, potentially collapsing racial and geo-political differences. Nonetheless, the use of family or vernacular photography by those seeking justice and reform persists because of the images’ ability to elicit a strong emotional, empathetic response.

In 2013, the Irish government eventually attempted to legislate for the X case, introducing the Protection of Life During Pregnancy Act. The legislation was criticised as inadequate and unclear, meaning the issue did not go away. The on-going condemnation of Savita’s death and other similar cases played a part in making abortion an issue in the 2016 election. Throughout this period Savita’s image was carried at the Annual Marches for Choice, as well as at various other protests and events. A citizen’s assembly on abortion took place in 2017 and was followed by an announcement that a referendum to remove the 8th amendment would take place in 2018. The streets became a battleground where imagery played a key part, with an emphasis from the No side upon the foetus—often depicted in utero without any reference to the mother upon whose life it depended. The No campaign viewed foetal images as the most important and persuasive visual information they could present to voters.

**Figure 5** encapsulates salient elements in the debate and how they were visualised. The poster in the foreground claims Savita as one of our own. Ronit Lentin refers to Savita’s emigrant status noting

what happened to Savita Halappanavar illustrates the complex ways in which processes of globalization and migration and the sudden presence of non-ethnic Irish citizens has changed the relationship between the state and its m/others and created conditions for understanding Ireland as a hetero-normative racial state, where Irish anxieties about m/others who disrupt ‘nationalist heterosexuality’ become the foundation of ‘re-nationalising the nation.’ It also reminds us that migrant m/others are never only *femina sacra* at the mercy of sovereign power: in the very act of ‘childbearing against the state’ (Luibhéid,





**Figure 6.** Savita Halappanavar mural by Aches, Dublin, 26 May 2018. Credit: ZC Beaton. Used with permission.

2004)<sup>3</sup>, they demonstrate agency and resistance, alas no longer available to Savita Halappanavar (Lentin, 2015: 187-188).

The subject of race and abortion within the Irish context has been explored by Butterly (2018), Fletcher (1995, 2005, 2018), Lentin (2015), Luibhéid (2004, 2006) and Rivetti (2019). Professional, married, middle-class and beautiful, Savita's image made the transition to iconic status with less baggage and complications than that associated with other women. The case of C, a thirteen-year-old girl (a member of the Traveller community) who in 1997 was raped and brought to the United Kingdom for an abortion and Ms Y, an asylum seeker who unsuccessfully sought to have an abortion following rape in 2014, are examples of minority and migrant women whose cases were less well-known. Side (2016) has highlighted the sympathetic public response to Halappanavar, whilst Rivetti (2019: 184) has noted that 'the pro-choice state elites and policy makers, along with activists, consumed her as the icon of why the Eighth Amendment had to go, silencing and 'normalising' the fact that she was a migrant'. Whilst one could argue that any 'advantage' accrued to Savita Halappanavar is moot given that her outcome was fatal, there were other migrant women whose deaths were not covered to the same extent. Similarly, the campaigns around Repeal have faced accusations of marginalising migrant and traveller women whose visibility remained low during the campaigns.

As noted in a piece written by Curran et al. (2018: 270), the Yes campaign did not overly rely on images. Together for Yes, the umbrella group representing pro-Repeal, organisations settled on a typographic rather than pictorial design for their banners, posters, and brochures that did not include photographic representations of real or fictional expectant mothers or voters. Given that Savita Halappanavar's family endorsed the use of her portrait by the YES campaign, its use by the NO side appears particularly disingenuous and demonstrates the turf wars that played out upon the streets of Ireland in the run up to the campaign. Respondents to a questionnaire conducted by RTE stated that posters influenced their decision. Given the viciousness of the debate and the highly emotive, controversial placement of some posters, it is perhaps difficult to figure out if posters actually turned people against some of the messages in them.

**Figure 6** shows the mural that appeared on South Richmond Street, Dublin on the day before the historic vote on Friday 25 May 2018. Painted by artist Aches, it showed a portrait of Savita derived from her Diwali photograph. The mural faithfully reproduced her image, albeit with a red wash and the word Yes overlaid in black and white. The mural was located at the side of the Bernard Shaw pub in Portobello in Dublin city, a mainstay in the social lives of Dublin's hipsters. This site was not officially sanctioned, instead being erected near the Bernard Shaw pub run by the Bodytonic collective. A week later, it was estimated that 1,200 cards had been left on the memorial site. Enright's exploration of how art imagined changes to the law on abortion referenced the Aches mural, but does not refer its photographic origins. She notes that Savita's prominence and her status as a foreigner does not belie the fact that 'migrants were denied a central role in the official referendum campaign' (Enright, 2020: 112). This omission is also noted by Fletcher (2018: 241), who refers to 'the troubling way in which a brown woman's dead body became a site for repeal grief, when brown women's lives were not visibly front and centre in #Together4Yes'.

Enright (2020) also highlights how the public interacted with the mural in a spontaneous manner. This disruption to the existing order created a temporary community which is described by Enright (2020: 105) as dissensual. Santino (2006: 1) calls these secular sites of public mourning 'spontaneous shrines' also noting that they often have a 'component of addressing a social issue, of trying to make something happen'. Hundreds of 'post-it'

<sup>3</sup> See also Luibhéid (2006).

notes were fixed to the hoarding beside the mural, with short messages. Some of these messages of solidarity and condolence were addressed directly to Savita, mourning her loss and the changes that came too late for her. Others reflected personal experiences of abortion. Gifts of flowers were left, and candles were lit.

With regard to the murals and photographic representations of Breonna Taylor, a twenty-six-year-old African American woman who was shot and killed by police in Kentucky in March 2020, Prince and Prince recognise the impact of vernacular photography

There is still a viscerality to her image that immortalizes her—she should still be here, smiling as she is in the photographs. Being able to take part in this memorializing art speaks to the ways Black feminists are able to capture representation of one another (Prince and Prince, 2020).

Like Savita, the image of Breonna that is in widest circulation and most recognisable was taken for familial domestic use but has been repurposed, streamlined and re-circulated to great effect. Family photographs showing other victims of American police brutality and murder have likewise been appropriated and reproduced. As the photographic historian Willis (2010) notes, these images play an important part in humanising the statistics and keeping both the issue and the victims' memory alive. The role of pop-up shrines and their importance for communities within the context of the Black Lives Matter campaign (Jones and Stone, 2020; Samayeen et al., 2020) is acknowledged by Patterson (2021), whose observations surrounding the George Floyd memorial in Minneapolis echo how Savita's photographic image was used as the focal point for her shrine. Providing a site for contemplation and community activism, Patterson notes that the location of Floyd's death has become the locus for activism and acts of community care.

Turner has explored the links between ephemerality and performativity in the spontaneous shrines that cropped up after the September 11<sup>th</sup> attacks in New York. The aspect of performance associated with this location, in combination with the public's interaction with it, was amplified through social media (Jones et al., 2007). Image-events occurred when people were photographed leaving 'post-it' notes or caught in a moment of contemplation at the Savita mural. These photographs were in turn posted, liked, and re-shared, thus creating a virtual community. The presence of pilgrims at a shrine creates what Turner (1969) calls *communitas*—the temporary sense of identification between individuals who otherwise do not interact.

The visual power of the flowers, letters, posters, and candles on display forced the viewer to break time and commemorate. In this way, even a temporary memorial has the power to manipulate time for individual and community memory work. Savita's mural, with its portrait of her at its centre, was like many vernacular memorials—transitory. Dublin City Library stated that '[t]he international best practice advice on condolence archives of this nature emphasises that we should '[f]irst, let the materials do as they were intended: Provide comfort' (Halpin, 2018). The library commissioned a photographer to record each of the notes. Memorials such as this are increasingly regarded as unique, valuable, and irreplaceable collections entitled to respect, preservation, and admiration (Grider, 2001). They can be seen as the physical manifestation of public grief. Doss (2006, 2008), in her studies of the emotional life of public memorials, has remarked that 'they may originate as ephemeral forms and sites of commemoration but, as they are photographed and collected (increasingly, the objects of many temporary memorials are saved and stored), they enter into new taxonomic registers' (Doss, 2008: 8). The Bernard Shaw shrine calls to mind the Catholic Marian shrines in devotion to Our Lady which are in evidence around the country. The central female figure in the 2018 incidence is secular, centring around a female figure in the form of street art derived from on a photographic portrait. Whilst the mural and shrine were secular, temporary and at odds with Catholic teaching, its imbued spiritual communion, sense of meditation and interaction bears many of the hallmarks of religious worship (in particular, the use of shrines by women as a locus for their spirituality, either in the domestic or church setting). Shrines also call to mind the tragic death of a pregnant teenage girl, Anne Lovett, in 1984. Hers was a type of haunting which hung over the Repeal campaign as a cautionary tale from a previous era. Further, the candles evoke *ex-voto* offerings made to saints or to a divinity in fulfilment of a vow or in gratitude or devotion—sentiments echoed in many of the 'post-it' notes. This overlaying of traditional practices at secular shrines was noted by Ortiz in her study of the use of photographs and offerings in the temporary memorials which were erected in the immediate aftermath of the bombings of 2004 in Madrid (Ortiz, 2013).

Ireland voted by 66.4% to 33.6% to remove the 8th Amendment from the Constitution, paving the way for the legislation of abortion in some circumstances. [Figure 7](#) was taken at Dublin Castle where a large crowd had gathered awaiting the official announcement of the referendum results. Several carried Savita's poster in acknowledgement of the role that her case had played in the over-turning of the constitutional amendment. Again, it is interesting to note that her image alone stands as testimony with no need to add a slogan or message. The following message was tweeted in May 2019 in response to the introduction of 'heartbeat bills,' prohibiting abortion in several American states. It shows Savita's portrait on a poster along with the message: 'She had a heartbeat too.' It shows the international legacy of her story and her photographic portraits' on-going currency as hard-fought reproductive rights are rowed back upon.



**Figure 7.** A supporter holds photo of Savita Halappanavar in Dublin Castle as Ireland has voted to repeal the 8th Amendment of the Irish Constitution, 26th May 2018. Credit: Niall Carson/PA Images/Alamy Stock Photo. Used with permission.

We cannot pinpoint exactly the role played by Savita's image in prompting action. A named young woman was dead, and we came to know what she looked like. Putting a face to this loss undoubtedly contributed to the impetus to build upon the decades of lobbying, marching and hard work undertaken by previous generations seeking abortion reform. Rose (2010), in her discussion of the photographs of the London bomb victims of 7 July 2005, acknowledges that images can persist long after an event, noting that 'the dead themselves might linger. A newspaper might be binned but the images it carries can persist in the memories of those who read it' (Rose, 2010: 111). Commentators refer, in passing, to the photograph of Savita, however, few have fully analysed or considered the role played by photography in humanising the failings of our legislation. As Keenan (2002: 114) warns, 'the only thing more unwise than attributing the power of causation or of paralysis to images is to ignore them altogether'.

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## Foetal Images on Political Posters: Bodily Intimacy, Public Display and the Mutability of Photographic Meaning

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### ABSTRACT

Prenatal images on anti-abortion campaign posters in the Irish referendum of 2018 were an overwhelming presence in the ambient spaces of Irish towns and cities, and generated a strong public reaction. This article examines this aspect of the visual and material ephemera of the referendum campaign in order to critique the continued use of *in utero* images within conservative reproductive politics. The article places existing accounts of the uses and abuses of foetal imagery into an Irish context. Referencing feminist critiques of prenatal images, ethnographic studies of ultrasound, Peter Paul Verbeek's discussion of these photographic practices as complex imbrications of the human and technological and paying attention to a striking, oppositional use of a sonogram by the Spanish photographer Laia Abril, this article will interrogate the assumed stability of meaning which motivates the adoption of prenatal images by anti-abortion campaigns.

**Keywords:** Irish referendum, political posters, Laia Abril, anti-abortion propaganda, foetal imaging

### FOETAL IMAGES ON POLITICAL POSTERS

In the Spring of 2018, the ambient streetscapes of Ireland were blanketed by political posters advocating a No or a Yes vote in the upcoming referendum to repeal the 8th Amendment. A Yes vote, in favour of the removal of the 8th Amendment, which asserted the right to life of the 'unborn,' would allow the restrictive laws governing abortion in the Irish State to be liberalised, while a No vote would preserve the existing status quo. The visibility of these referendum posters was not solely due to their volume and extent in public space—a typical phenomenon in the lead up to all Irish elections—but was also because of their vociferous content, expressed through word and image. My focus here is on one particular type of poster from one side of the referendum campaign: the use of foetal and *in utero* imagery on announcements designed to encourage a No vote. In addition to outlining the use of these visuals within the specific context of the Irish referendum campaign, this paper will highlight the ambivalences of prenatal images. For the anti-abortion campaign, *in utero* images offered a powerful form of visual information which harnessed the reality effects of photography to produce an 'unborn' personhood. But for many, subjected to the posters as an unavoidable presence in their lived environments, these views of uterine interiors were overwhelming and oppressive. Photographic images are fugitive and mutable, their meanings are rarely fixed through depiction alone but instead rely on supplementary elements such as context, sequencing, and captions. *In utero* images demonstrate the same itinerancy which characterises most photographic cultures in their travel between heterogenous contexts—from the medical, to the domestic, to the political (Cadava and Nouzeilles, 2013: 17). These varied social and discursive sites inevitably shape complex, sometimes divergent, meanings.

This article will interrogate the assumed stability of meaning which motivates the adoption of prenatal images by conservative reproductive politics. It will place existing accounts concerning the uses and abuses of *in utero* visuals into an Irish context. After first mapping the deployment of this imagery as anti-abortion propaganda in the Irish referendum, I will then briefly reference feminist critiques of prenatal images, before considering the contradictory practices and meanings attached to obstetric sonography—engaging with ethnographic studies of ultrasound imaging and Peter Paul Verbeek's view of these photographic practices as complex imbrications of the human and technological. Finally, the article will draw attention to a striking oppositional use of a sonogram by the Spanish photographer, Laia Abril. This image was also on display in Dublin in the weeks leading up to the referendum vote, part of the PhotoIreland Festival's exhibition of Abril's internationally celebrated photographic

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project, *A History of Misogyny Part 1: On Abortion* (PhotoIreland, 2018; [www.laiaabril.com](http://www.laiaabril.com))<sup>1</sup>. Though less publicly visible than the campaign posters, and largely absent from media discussions of the visuals deployed in the Irish referendum, Abril's image effectively subverts the use of pre-natal imagery to serve anti-abortion agendas. The sonogram was just one small part of Abril's gathering of photographs, text, and audio/visual elements to build a polemical yet nuanced pro-choice argument. However, its presence on a Dublin gallery wall in May 2018 presented a charged contrast with the *in utero* imagery on the posters in the streets.

The poster is a central medium within Irish political campaigns. Unlike other jurisdictions, where political posters are confined to restricted locations, Irish political posters quickly populate any available lampposts or pylons in cities, towns and rural roadsides in the weeks before any vote. By-laws prohibit dangerous practices (such as hanging the posters too low or obscuring traffic lights) and allow fines against political parties if they fail to remove campaign posters in a timely fashion, but these caveats aside, any imminent vote in Ireland is signalled by a mass of posters in public space (Department of Environment, Climate and Communications, 2019). The referendum of 2018 saw a large volume of campaign posters, exacerbated by the long run in time before the vote<sup>2</sup>; by the fact that the groups involved had the financial means to cover the costs of extensive postering; and perhaps also influenced by the limitations to online advertising about the referendum, enforced by social media platforms such as Google and Facebook, which cut off one significant space within the political 'air' wars (Facebook Ireland, 2018; Waterson, 2018)<sup>3</sup>. Political posters are designed for impact; they are large enough to be seen from a distance and incorporate colourful graphics and photographic elements, most commonly the portraits of candidates and political leaders. A sense of the striking presence of Irish political posters is offered by Mark Duffy's photographic series, *Vote No 1*. The project began with images of the local and European elections in 2014 and became an award-winning photo book in 2015. Duffy's close up images highlight not just the visibility of these announcements, but also their material qualities—such as the textured ridges of corriboard and the accidental interventions of cable ties and general weathering—which work against the polished political personas the posters hope to foster. His presentation of these posters offers an askance view, decoupling them from their propagandistic messages and reinforcing the gap between political promises and social reality (Duffy, 2015). But the 2018 referendum campaign required a very different type of poster—instead of producing a distinct visual identity for political personalities, groupings, and parties—these announcements needed to make a moral argument about a charged and contentious social issue.

The two main anti-abortion campaigns, 'Love Both' and 'Save the 8th', had grown from earlier organisations campaigning on the issue in Ireland since the 1980s, such as the Pro-Life Campaign, the Society for the Protection of Unborn Children, and Youth Defence, and had links to the advocacy group for conservative Catholic values, the Iona Institute (Field, 2018: 13-14). Given this background, both groups were experienced, well organised and well-funded; they quickly populated the streets with striking messaging, which made extensive—though not exclusive—use of prenatal imagery to render the abstract concept of the 'unborn' more tangible and visible<sup>4</sup>. The most prominent pro-choice campaign, 'Together for Yes', was also an umbrella group which pooled the resources and experience of the Abortion Rights Campaign (ARC), the Coalition to Repeal the 8th Amendment, and the National Women's Council of Ireland (NWCII) (Field, 2018: 11-13). Together for Yes were later in getting posters up (following a hugely successful public fundraising drive) and their posters were almost entirely textual (McGreevey, 2018). Their decision to omit images was less a reaction against the charged visuality of the No campaign and was instead motivated by a sense that the message of reproductive choice was too complex to be reduced to a single photograph, a complexity also suggested by their first poster's slogan 'Sometimes a Private Matter Needs Public Support' (Curran, 2018). The slogan alluded to the awkward insertion of intimate, private, reproductive histories into the public discourse of a political campaign—a discomfort that the images deployed by the No campaign ignored.

The No campaign clearly felt that foetal images were among the most important visuals they could present to voters. Statements made in the course of the campaign suggested a belief that these images shared the objective

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<sup>1</sup> The exhibition opened in Dublin's Copper House Gallery on May 1, 2018, three weeks before the referendum vote, and ran until May 31. Abril's work was shown alongside that of the young Irish photographer, Sarah Cullen, whose work also engaged with the theme of abortion from a pro-choice perspective.

<sup>2</sup> The referendum was announced by the Irish government on March 28, allowing for two months of campaigning before the vote on May 25.

<sup>3</sup> These bans were instituted by the tech companies themselves and were widely seen as a response to criticisms of online 'foreign interference' prior to the US Presidential election and the UK's 'Brexit' vote in 2016. Facebook announced that it would no longer accept foreign advertisements relating to the Irish referendum on 8 May 2018. The following day, Google banned any advertisements relating to the Irish referendum from all of their platforms. This was the first time that digital advertising had been curbed prior to a vote in Ireland.

<sup>4</sup> See Side (2020: 104-118) for a broader account of the visuals deployed by the anti-abortion campaign in Ireland's 2018 referendum.



**Figure 1.** Save the 8th Campaign Poster ‘A Licence to Kill? Vote No to Abortion on Demand’. Photograph by Ann Curran, 2018. Used with permission

credibility often assigned to photographs and thus allowed voters to directly see the ‘personhood’ of the foetus. There was little acknowledgement that *in utero* images and sonograms are socially mediated images, understood in diverse and contentious ways, dependent on the context in which they are encountered, or the interest and expertise of the viewer (Mitchell, 2001: 7; Roberts, 2012: 4; Taylor, 2008: 19). For example, one ‘Save the 8th’ press statement argued for the right of the electorate to ‘basic information,’ suggested that this right could be fulfilled through prenatal scans, and even contended that all television reports on the referendum should include these visuals to ensure a ‘fully informed’ electorate:

In that context, a fully informed debate need not show graphic images, or upsetting images. But it should show, at a very basic level, what a child in the womb at that age [12 weeks] looks like. Every mother who has had a child in the modern era has seen one of these scans—but most voters have not. The scan shows clearly a developing child, with the identifiable form of a human being, moving and kicking inside the womb (Loughlin, 2018).

In addition to demonstrating the importance attached to prenatal images by the No campaign, this statement also reveals a typical, convenient, semantic slippage between embryo, foetus and child and the use of misleading assertions about foetal development—in the suggestion of deliberate kicking at twelve weeks. The press release is also very revealing of the conservative gender politics at play in the campaign, in its assumption that mothers, but not fathers, would be familiar with ultrasound images.

Katherine Side has traced the strategic changes made to the visual rhetoric of anti-abortion campaigns in Ireland—such as the movement away from religious perspectives and the more central role afforded to women—in an attempt to produce more evolved, persuasive and contemporary messaging. She points out that the persistent use of foetal imagery resists these changes (Side, 2020: 110). Ultrasound scans and *in utero* images featured prominently in a 2012 billboard campaign produced by Youth Defence using the tagline ‘Abortion Tears Her Life Apart,’ these adverts generated significant criticism from the Irish public (Morse, 2012). The posters considered below, produced for the 2018 referendum campaign, clearly did not convince voters, given the result. Despite this, the Iona Institute again made use of foetal imagery for their 2019 billboard campaign, ‘Still One of Us,’ arguing that the soft-focussed and back-lit image of an eleven-week-old foetus made it ‘very apparent even at this early stage of pregnancy that we are dealing with a human being.’ (Iona Institute, 2019). In all these cases, the use of foetal imagery had greater success in generating strong reactions from the Irish public than in persuading them towards a more conservative position on reproductive rights. Many international anti-abortion campaigns share a similarly strong belief in the ideological power of prenatal imagery—the legislation of certain US states, requiring women to view ultrasound images before accessing abortions, provides a particularly marked example (Gutmacher Institute, 2021). Such legislation assumes that prenatal imagery asserts the improbable personhood of embryos and foetuses so powerfully that it can cancel out the myriad reasons expectant parents decide that a termination of pregnancy is the best choice for them. But the very concept of maternal bonding has become increasingly contentious and the claims that ultrasound enhances this phenomenon are tenuous (Taylor, 2008: 77-115).

Given the longstanding use of foetal images in Irish anti-abortion messaging, the strident tone of Save the 8th’s campaign posters for the 2018 referendum is unsurprising. Two of their most widely displayed posters positioned abortion as murder through their combination of *in utero* images, from later stages of pregnancy, with admonishments such as: ‘A License to Kill? Vote No to Abortion on Demand’ and ‘If Killing an Unborn Baby at Six Months Bothers You, Vote No’ (Figure 1 and Figure 2).



**Figure 2.** Save the 8th Campaign Poster 'If Killing an Unborn Baby Bothers You Vote No'. Photograph by Ann Curran, 2018. Used with permission



**Figure 3.** Love Both Campaign Poster 'I Am 9 Weeks Old, I Can Yawn and Kick, Don't Repeal Me'. Photograph by Ann Curran, 2018. Used with permission

'A License to Kill' featured an *in utero* photograph of the foetus in profile and in close-up, including only the head, with well-defined facial features, and the hands clasped in a gesture that was no doubt meant to be understood as a prayer or a plea. The 'Bothers You' poster involved a very different type of prenatal image; a photograph of a headless pregnant torso, decorated with a body painting of a full-term foetus in pastel colours, exemplified what Lucy Lippard has termed 'unborn bathos' (Lippard, 1995: 249). Save the 8th posters were varied in design, with no consistent colour scheme, typeface, or imagery. The posters produced by the Love Both campaigns had a more unified aesthetic and took a more sentimental approach to the issue. Here too prenatal imagery was carefully selected and presented to emphasise the evolution of recognisably human features. One pictured a grainy 2D sonogram of a nine-week-old embryo, making aesthetic use of the curved wall of the womb, and deploying a scaled-up profile view to emphasise the developing facial features. A second poster used a close up *in utero* photograph of the face of a foetus apparently sucking its thumb. These visuals were supplemented by a peculiar ventriloquism with first-person assertions of developmental progress: 'I am 9 Weeks Old. I can Yawn and Kick. Don't Repeal Me' and 'My Heart Started Beating at Twenty-Two Days' (Figure 3 and Figure 4). This text was set against blocks of hot pink giving the Love Both announcements a striking cohesiveness.



**Figure 4.** Love Both Campaign Poster ‘My Heart Started Beating at Twenty-Two Days’. Photograph by Ann Curran, 2018. Used with permission

The use of pink was presumably also intended as a ‘feminising’ of their message, a chromatic cliché to suggest that they too stood on the side of women, despite their opposition to abortion in even the most difficult of circumstances—including instances of fatal foetal abnormality, serious risks to the health of the mother, or pregnancies resulting from rape.

The Irish announcements followed tropes established by international anti-abortion movements, particularly in North America. Decontextualised images of the foetus construct a free floating and autonomous image of a generalised life before birth, while saccharine captioning supplements the images with an imagined voice, producing a vulnerable ‘foetal personhood.’ As Lauren Berlant argues, these uses of prenatal images collapse aesthetic and political representation together; foetal personhood is constructed not only through the image but also through a ‘strategy of non-diagetic voicing’ ‘imputing a voice, a consciousness and a self-identity to the fetus that can neither speak its name nor vote’ (Berlant, 1994: 151). The insistence of these visuals invokes the indexical nature of photography as a guarantor of truth—a reality effect that is enhanced by their position within the realm of technological and scientific imaging. Bolstered by science, prenatal imagery supposedly offers an objective understanding of the innate humanity of the ‘unborn,’ and by corollary, the evils of any kind of abortion. But *in utero* photographs offer a partial view of pregnancy; rather than unmediated, objective records of the development of life within the womb, they are translations which adopt particular perspectives—points of view that remove women from the frame. Rosalind Pollack Petchesky views the reversals of perspective and separations of the visual field, inherent to prenatal imaging, as part of the tendency of all photographs to cut from, reorganise and revision the ‘real’:

Fetal imagery epitomizes the distortion inherent in all photographic images: their tendency to splice up reality into tiny bits wrenched out of real space and time (Petchesky, 1997: 268).

More directly, photography is implicated in this separation of woman and foetus because the visual phenomenon of intrauterine life is made possible through photographic technologies. These technologies include devices such as micro-lenses and endoscopes, but also a range of medical visualising technologies which are not strictly photographic. Ultrasound is the most notable example of the latter; recorded using sound, rather than light, the resulting sonograms are nonetheless often treated as photographs (Watts, 2007: 232; Wilder and Von Zwehl, 2013).

Lennart Nilsson’s photo-essay ‘The Drama of Life Before Birth,’ published in *Life* magazine in April 1965, represents the origin moment of a visible, public foetus made possible through photographic practices (Cosgrove, 2013; Jansen, 2019; Stabile, 1992)<sup>5</sup>. The dramatic impact of Nilsson’s images is made evident when his photo essay is compared to an earlier story printed in *Life*, ‘The Birth of a Baby’ which appeared in the magazine in April 1938. In this earlier narrative photographic images (stills from an instructional film), combine with drawings detailing the growth of the foetus, to offer a chronological account of the different stages of pregnancy through to birth. The

<sup>5</sup> Nilsson’s photographs were also widely circulated in the pregnancy advice book, *A Child is Born*, published in the same year as the *Life* article, co-authored by Nilsson and several medical professionals. The book sold in vast quantities and numerous iterations and translations were produced, with the most recent edition appearing in 2009 (Jülich, 2015).



story does not offer a female perspective, indeed ‘The Birth of a Baby’ typifies *Life’s* habitual representation of women through the gaze of male professionals, with ‘Dr Wilson’ playing a far more significant role than the expectant mother, Mary (Panzer, 2020: 61). But Mary has enough of a presence to be named and the representations of antenatal care, in addition to the still images of labour and birth, offer some account of her bodily experience. In contrast, Nilsson’s later photo-essay translated the formerly drawn illustrations of embryonic and foetal development into a disembodied technological spectacle, demonstrating photography’s ability to extend human vision in the privileged view it offers of the pregnant interior. More recent medical visualisations of prenatal development by Alexander Tsiaras offer a strikingly similar aesthetic, presenting the biological process as a universal natural wonder; life here unfolds against the cosmos, rather than grows within a woman’s body (Stormer, 2008: 649). The scientific authority that attends Nilsson and Tsiaras’ images disguises their ambiguities, not least their depiction of life using dead specimens. A few of Nilsson’s celebrated images were taken *in utero*, but most photographs were staged using embryos which had been surgically removed for various reasons. Tsiaras’ images were digitally constructed, based in part on MRI scans of specimens from the Carnegie Institute’s Department of Embryology (Jansen, 2019; Stabile, 1992: 185; Stormer, 2008: 663-666). Several classic accounts of photography emphasise its memorial functions, the ability of photographs to capture and fix a moment of life in order to stave off death (Metz, 1985; Barthes, 1986; Batchen, 2004). The work of Nilsson and Tsiaras, in contrast, produces an image of ‘life’ from what Nathan Stormer terms a ‘scientific cemetery’ (Stormer, 2008: 666).

Feminist discussions of the ‘public foetus’ have been concerned to critique not just the occlusion of women’s bodies, but also the displacement of an intimate, somatic apprehension of pregnancy, in favour of an externalised medico-technical image, with the consequence that a formerly private experience has now been opened up to public inspection and regulation. To offer just a few examples from the vast literature on this topic: Petchesky highlights the ways in which these photographs represent ‘the fetus as primary and autonomous, the woman as absent or peripheral’ (Petchesky, 1997: 268). She acknowledges that women are not passive in the face of these visual technologies and have themselves generated demand for and welcomed phenomena such as sonograms. Despite this, she concludes:

First, we have to restore women to a central place in the pregnancy scene. To do this, we must create new images that recontextualize the fetus, that place it back into the uterus, and the uterus back into the woman’s body, and her body back into its social space (Petchesky, 1997: 287).

Barbara Duden’s (1993: 10) more historical approach has drawn attention to the redefinition of pregnant women as ‘uterine environments for fetal growth’ and the way in which pregnant bodies ‘formerly the metaphor for the hidden, the secret and the invisible’ have become ‘a space for public inspection.’ Finally, Berlant addresses the political implications of this shift; for her, the constructed identity of the public foetus has become so powerful that:

In this context, the pregnant woman becomes the child to the fetus, becoming more minor and less politically represented than the fetus, which is in turn more privileged by law, paternity, and other less institutional family strategies (...) (Berlant, 1994: 147).

More than the bodily experience of pregnancy is diminished here. Foetal images refuse the social and material complexities of human reproduction, they present the ‘unborn’ outside the social markers of race or class, ignoring how the imposition of reproductive controls has a greater impact on poorer woman, women of colour and transgender pregnant persons; in short, foetal images refuse the messy particularity of actual life, favouring instead ideological abstraction.

Given this wider historical and ideological context, it is unsurprising that the use of prenatal imagery on Irish referendum posters proved contentious and generated anxiety. Writing in *The Irish Times*, the writer Anne Enright (2018) eloquently identified the discomfort felt by many:

If the argument was over the interior of a woman’s body, that interior looked wrong up on a telegraph pole. It seems the feelings we have about fetuses are not neutral and immediate, they are strange and, in any pregnancy, slow to form, so these images did not make us feel, for the most part, protective and warm.

Enright’s article offered a rare acknowledgment of the ambiguity of pre-natal images; the realism they produce, she understood, is an uncanny one. Such affective qualities were not the primary focus of most discussions of the referendum posters, instead, Irish public discourse was largely concerned with their misleading content and inappropriate locations. Some of the imagery deployed by groups outside the main anti-abortion campaigns was graphic and clearly unsuitable for general public display. For example, a campaign poster by a group identified only by their website, [www.lovethefaith.com](http://www.lovethefaith.com), collected by the National Museum of Ireland following the referendum



vote, followed the shock tactics of North American anti-abortion groups and included a distressing image of dismembered foetal body parts. The mainstream anti-abortion campaigns avoided such visceral imagery, but though their approach was less extreme, the content of their posters was considered both manipulative and deceptive by many public commentators. The announcements suggested a reductive binary of abortion or birth, with no acknowledgment of the other possible outcomes of any pregnancy, such as miscarriage. The Love Both poster 'I am 9 Weeks Old, I can Yawn and Kick, Don't Repeal Me,' featuring a blurred sonogram image, was deemed 'not factually accurate' by the former master of the Coombe maternity hospital in Dublin, Chris Fitzpatrick, in an article written for *The Irish Times* he pointed to the distress the anti-abortion posters caused for expectant parents in their failure to account for the complex human stories behind any pregnancy: 'Life doesn't fit neatly on posters. When you try to oversimplify it, you sometimes end up telling lies' (Fitzpatrick, 2018). Several complaints were made about the Save the 8th poster 'If Killing an Unborn Baby at Six Months Bothers You,' as the scenario it suggested—widespread late term abortion—was explicitly discounted by the proposed legislation (Department of Health, 2018; ní Aodha, 2018).

The problematic nature of this content was exacerbated by the overwhelming volume of referendum posters in public space and a frequent insensitivity in terms of their positioning. The display of posters outside schools was controversial, with parents complaining that this led to awkward and difficult conversations with their children (ní Aodha, 2018). The combative tactics of the Irish Council for BioEthical Reform (ICBR) proved particularly notorious. Despite their name, the ICBR are an international, largely North American group, without strong links to Irish anti-abortion campaigns, indeed the Irish No campaign felt the need to distance themselves from the group, with John McGuirk of the Save the 8th campaign telling the press:

These people are not Irish. They are not connected to our campaign, or to any other mainstream No campaign (Murray, 2018).

McGuirk's statement pointed to continuing sensitivities surrounding the funding of the Irish anti-abortion campaign and the perception that North American money was being used in an attempt to shape Irish social policy (Fox, 2018; Nagle, 2013), but also fitted with the campaign's framing of abortion as a 'foreign' (often British) imposition on Irish culture (Side, 2020: 107, 111-112). In the weeks leading up to the Irish referendum, the ICBR followed the tactics they had previously deployed in the United States and Canada, using banners and temporary displays of graphic foetal imagery as a form of protest, with a deliberate choice of locations (Williams, n. d.). In Ireland these locations were student campuses, iconic venues for the LGBTQI scene in Dublin, and maternity hospitals; in short, the group's positioning of their message seemed designed to cause offence rather than to persuade. The ICBR argued that their displays outside maternity hospitals would only cause distress to those who were 'ambivalent' about their pregnancies (Murray, 2018). The reductive cruelty of such statements was a striking reversal of the pro-choice campaign, with its focus on the complex, often painful, reproductive experiences of specific individuals. The combative tactics of the ICBR led to vibrant counter protests, for example, the group 'Radical Queers Resist' had an organised campaign to obscure the ICBR's messaging with various pride flags—which here operated as oppositional banners as much as emblems of identity. The referendum campaign was also marked by less orchestrated instances of poster hacking: one Save the 8th poster, on Dorset St in Dublin, had its message altered from 'A License to Kill: Vote No' to, inevitably, 'A License to Kill: Vote OO?'; while the anti-abortion announcements in the Stoneybatter area of inner-city Dublin were briefly 'enhanced' with coat-hangers. These local, small-scale interventions reached a wider audience through the uploading of photographs to social media.

The most extreme form of poster hacking was the illegal removal or destruction of posters, which both sides of the campaign suffered. These incidences occurred with such frequency that the Irish Council of Civil Liberties (ICCL) called for greater state protection for these 'important expression[s] of political speech' (Irish Council of Civil Liberties, 2018). The ICCL's valorising of the posters was not a majority view. Media debates, conducted during the referendum, largely argued for the control, regulation, limiting, or complete removal of political posters from public space, with one discussion on the state broadcaster RTÉ's current affairs programme, *Claire Byrne Live*, framing the posters as a type of visual litter (*Claire Byrne Live*, 2018). Such forms of censorship are an extreme solution with problematic consequences for the norms of democratic expression. In an interview the research group, Photography/Archives/Ireland, conducted with Rita Harold—an activist and organiser with the socialist pro-choice group, ROSA—Harold made the case for the political poster as an essential driver of Irish democracy, a means through which more marginal, less wealthy, political groups can present their message to the public.

Every referendum, every election campaign, many people say posters should be banned. Posters are banned in many places in the world and in those places there's really big parties, that run the country, and are corrupt, and it's really hard to challenge those parties, small forces can't get into the media, they can't engage in the air war because the air war is just the media, you're not allowed to put up posters, or

it's billboards, extremely expensive billboards. Who had billboards in this recent referendum? The No side. The Yes side didn't have billboards. They are so expensive; you need to organise them way in advance. I think people would have been unhappy if posters had been banned in the referendum and we just had a load of No billboards all over the place (Loughnane, 2018).

Despite the offence and distress caused by the referendum posters—particularly the more graphic anti-abortion announcements featuring prenatal images—it seems that critique might be a more appropriate response than censorship.

Classic feminist critiques of foetal images, as we have seen, describe how their omissions and partial perspectives serve the narratives of anti-abortion groups, but these critiques often leave intact false assumptions about the innate coherence of photographic images. Such accounts cannot fully interrogate the belief which motivates the use of these visuals by many anti-abortion campaigns—the belief that foetal imagery has a fixed and clearly decipherable meaning which automatically conveys the humanity of the 'unborn.' We might return here to Enright's identification of the unsettling ambiguity of *in utero* images, which suggests that they are not so easily or immediately read. This illegibility is central to the lived experience of expectant parents, who are often reliant on medical staff for an accurate interpretation of their sonograms (Mitchell, 2001: 120-121; Taylor, 2008: 39). The slippage of ultrasound and other prenatal scans from medical functions to personal use also plays a part in their ambiguous and uncanny affects. Medical professionals often present these images as diagnostic tools, the initial first 'dating' scan, used to more accurately predict the due date, followed by an 'anomaly' scan to identify congenital conditions. But as Lisa Mitchell and Janelle Taylor's ethnographic studies of ultrasound clinics in North America have demonstrated, the prenatal scan is often marked by a contradictory mix between the diagnostic and the spectacular, with the expertise of sonographers falling somewhere between professional clinician and personal guide. As ultrasound has become more standard within obstetric medicine, a set of conventions have developed which combine its diagnostic role with the more nebulous functions of 'showing' the foetus to expectant parents, to provide reassurance, or, more contentiously, to assist with 'bonding.'<sup>6</sup> Many ultrasound appointments are divided into an initial diagnostic section, where the sonographer or obstetrician focuses on taking measurements and checking for foetal abnormalities, and a more personal section where the sonographer decodes the image for expectant parents, pointing out key features and perhaps revealing the sex, or printing images as souvenirs (Mitchell, 2001; Taylor, 2008). The ultrasound as spectacle, complete with the provision of visual mementos, serves to objectify and commoditise the foetus, even while personalising it (Taylor, 2008: 135). While the diagnostic functions of ultrasound are a matter of concern and anxiety for expectant parents, they only form part of their use of prenatal images and the significance they attach to them (Watts, 2007: 232-233). The sonogram, despite its grainy indistinctness, and its humble materiality—generally small and printed on poor quality thermal paper—is prized as the first portrait of a future child. It often operates as an important accessory to public announcements of pregnancy and is sometimes preserved at the front of 'baby books,' souvenir albums designed to chart the early life of children. As Kelley Wilder points out, unlike other souvenirs, these images do not offer a nostalgic trace of experience but instead look forward; they are a memento 'that promises a future meeting' (Wilder and Von Zwehl, 2013: 132). This inherent futurity of sonograms also works against the imposition of immediate or definitive meanings. The emergence of 3D and 4D scans adds to this complexity; their increased legibility and detail has not been deemed diagnostically useful by the medical community but has led to a greater commodification of the foetal image, with many private companies using this technology to offer parents a pleasurable and reassuring experience, placing the foetus into a familial, rather than a clinical context (Roberts, 2012: 4). The visual clarity of these sonograms has been seen as offering a stronger sense of foetal personhood (Palmer, 2009), given this, it is surprising that these more recent medico-technological images were not widely used by the Irish anti-abortion campaign. The referendum posters illustrated here, for example, used older forms of visualisation—2D ultrasound, *in utero* photographs strongly reminiscent of Nilsson's work, even a hand-painted foetal image on a pregnant belly.

We might also focus on the personal and social uses of *in utero* imaging to trouble the essential dichotomy between an intimate, somatic experience of pregnancy and a more distant, scientific and technological view of the foetus, suggested by some earlier feminist critiques. The discussion of prenatal imaging by the philosopher, Peter Paul Verbeek, is of interest here. Verbeek's approach is 'post-phenomenological' in that he refuses a model which considers relations between subjects and world through an unmediated intentionality; instead, he argues that the world we experience is always an interpreted reality, and our own subjectivity is always situated in some way. From this perspective, rather than seeing technology as offering 'second order and alienating ways to relate to reality,' we need to acknowledge that our experience of the contemporary world is technologically mediated (Verbeek, 2008:

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<sup>6</sup>The conventions of ultrasound scans within obstetrics are of course cultural and change in different locations. But the practices in Canada and the United States, described by Mitchell and Taylor respectively, seem largely similar to those in Ireland.



**Figure 5.** Installation view of Laia Abril ‘On Abortion’, Copper House Gallery, Dublin, PhotoIreland Festival, 2018. Source: PhotoIreland. Used with permission

11). We cannot strip away technology and its role in forming our perceptions to arrive at ‘original’ phenomena; our practical engagements with the world, our interpretations of reality, even our moral decisions are already shaped by technology:

(...) moral intentions come about on the basis of technological mediations of the relations between humans and reality, and are always properties of human-technology *associations* rather than of prime movers (Verbeek, 2008: 14).

Verbeek considers obstetric ultrasound as an example of the necessary imbrication of humanity and technology. He argues against binary constructions which seek to place a dividing line between the person and the machine and advocate for greater human agency and control over technological images, an impossible task given how human perceptions of prenatal life are now so powerfully mediated by technical images such as sonograms. Verbeek acknowledges that: ‘(...) even though it might be a ‘non-invasive’ technology in a physical sense, ultrasound is far from non-invasive in a moral sense’ and argues that these mediations produce a ‘new ontological status of the foetus’ (Verbeek, 2008: 14). This new status confers a type of personhood on the foetus—particularly evident in the gendering of the ‘unborn’ facilitated by ultrasound technology. Like earlier feminist commentators he highlights the ways *in utero* imaging separates the foetus from the body of the mother, which has a distancing effect, but he also notes that these technologies can bring the anticipated child closer to parents through the power of visualisation. Verbeek also examines how sonograms present the foetus as a possible patient—this renders expectant parents as ‘decision makers’ and ensures that our responses to these images are complex (Verbeek, 2008: 17). The parental choices opened up by prenatal scans and sonograms are far more ambivalent than anti-abortion campaigns acknowledge; this technology can also motivate the types of decisions that conservative reproductive politics would like to deny.

To further demonstrate the contingent meanings and effects of prenatal images, I want to finally discuss one very specific example. In the weeks leading up to the referendum vote, in May 2018, a sonogram was displayed which directly challenged the use of foetal imagery in the No posters on the streets; here, rather than acting as a spur for parental decision making, the prenatal scan serves to highlight the tragic consequences of a lack of choice (Figure 5). In contrast to the public visibility of the referendum posters, this image was accessible in the more contained space of the gallery, as part of PhotoIreland’s timely exhibition of the work of the Spanish photographer, Laia Abril (PhotoIreland, 2018). The work shown by PhotoIreland was an edited sample from Abril’s project, *A History of Misogyny Part 1: On Abortion*, which was first exhibited in Arles as part of *Les Recontres de la Photographie* in 2016, and was recently shown as part of the exhibition, ‘Reproductive: Health, Fertility, Aging,’ at the Museum of Contemporary Photography, Chicago (Museum of Contemporary Photography, 2021; Recontres-Arles, n. d.). *On Abortion* forms the first chapter of Abril’s long term visual research project, *A History of Misogyny*, and also exists as a photobook, *On Abortion and the Repercussions of Lack of Access*, published by Dewi Lewis in 2018 (Abril, 2018; see also [www.laiaabril.com](http://www.laiaabril.com)). Abril’s project frames abortion restrictions as a central expression of misogyny and demonstrates that the historical control of women’s reproductive autonomy continues into the present, with

repercussions that remain just as damaging and deadly in a contemporary world. Abril's approach traverses space as well as time, providing a global view of the often overlooked histories of the many thousands of women around the world who each year die, or are left with ongoing physical and psychological trauma, while undergoing illegal abortions or by being forced to continue or end pregnancies against their will.

Abril's exhibition in Dublin, as with other presentations of this work, combined images with text and audio/visual elements. The book too is very textual, reflexively includes research materials, and uses a variety of representational strategies. This allows a topic that has often resisted visualisation to be effectively imagined; the resulting work sits in a space between journalism and fine art and pushes against the conventions of documentary photography, indeed, might even be seen as a type of 'anti-photography.' In an interview with Sophia Griff, Abril argued:

(...) in a way my approach is completely against photography: I'm trying to visualise what you can't see. There are so many things that would be so much easier to photograph, things that don't elude visibility. But that's part of my relationship with the medium: wondering what we get to see and are able to react to. What do we not get to see, what do we prefer not to look at? The things that we don't want to see—or are not supposed to—are the ones that remain invisible in society. And they also remain invisible to the medium. I find it fascinating what an impact it can have on people when you visualise things that matter to them (Griff, 2020: 151).

Abril's work deploys still life, portraiture, archival images and staged reconstructions: her presentation of this diverse visual material demonstrates her extensive research on the topic; her awareness of how the imagery surrounding abortion has been weaponised; and a sensitivity to the ethical issues raised by her use of the intimate stories of individuals. The copyright page of the photobook contains a disclaimer stating that the project is a work of 'visual analysis and interpretation by the artist' and that some of the images are 'reconstructions or visual metaphors based on information discovered through extensive research' (Abril, 2018: n. p.). This disclaimer offers a necessary clarification—Abril's photographs may stretch definitions of documentary evidence, but they are nonetheless rooted in actual experience. The legitimacy conferred by direct, first-person narrative is also important here and the stories of those affected by reproductive politics are central to the work. Abril gathers these testimonies to form a devastating argument against the restriction of abortion, while still paying attention to the complexities of the specific circumstances faced by individuals in particular locations. This use of personal testimony as a form of public, political expression, combining the experiences of individual women to assert a universal demand, is a strategy that has frequently been deployed by pro-choice campaigns; many of these testimonies combine text with image, as in the pro-choice films discussed by Barbara Pickering (Pickering, 2003). But these political uses of text and image necessarily foreground an immediate legibility and a coherent linearity, constraints that Abril's work is free from, situated as it is in the context of fine art photography. Instead, both the various exhibitions of *On Abortion*, and the book, produce a complex layering of time and place, of factual evidence and personal testimony, of archival material and imaginative reconstructions. The narratives included in Abril's work range from mundane and routine accounts of abortion to the extreme and tragic cases that have often been considered more politically necessary and acceptable within pro-choice campaigns (Ludlow, 2008: 29).

The display of Abril's work, in Dublin, in the middle of the Irish referendum campaign, created a particularly charged viewing experience. Several of the personal histories included in Abril's project were of Irish people affected by the state's prohibition of abortion in almost all circumstances. These personal testimonies and Abril's visualising of them were placed alongside stories from diverse locations, such as Poland, Chile and Nicaragua, operating as a reminder that the Irish experience of strict reproductive control is far from exceptional. It is in this context that a sonogram was displayed; though not in a particularly prominent position it was located at the centre of the exhibition (Figure 5). This grainy ultrasound image is also placed towards the centre of the photobook, bookended by blank, black pages and printed over a double-spread on gloss paper; formatting that forces an attentive pause from the viewer/reader. In both exhibition and book a supplementary text is encountered either alongside or before the image, ensuring that this scan is always understood as a residue of gruelling personal circumstances, rather than as a generic image of prenatal life. The text reads:

MOTHER AT NINE YEARS OLD. In November 2015, nine-year old Inocencia gave birth to a baby boy in Nicaragua. He was the son of her own biological father, who had raped Inocencia repeatedly from the age of seven. Many countries, including Paraguay, Guatemala, Honduras, Venezuela, Somalia, Congo, Egypt, Iran, and Lebanon, do not consider rape a legitimate reason to abort and permit abortion only when the mother's life is at risk. Stricter still, Nicaragua, El Salvador, the Dominican Republic, Malta, and the Vatican are the five nations in the world where abortion is prohibited under any circumstance (Abril, 2018: n. p.).

Abril gained access to this image through months of almost daily contact with a doctor involved with this case in Nicaragua, demonstrating the tenacity and care with which she gathered and produced the visual resources presented in *On Abortion* (Moroz, 2016). But for most viewers, the provenance of this contextualised image was no doubt of lesser importance than its emotional impact. Many of the viewers, who encountered the sonogram in the Copper House Gallery and read the supplementary text, would have been aware that Ireland could be placed among the list of countries where rape was not considered grounds for a termination of pregnancy. These viewers were also entering the gallery from streets festooned with prenatal imagery and must have been struck by this oppositional use of a prenatal scan. Abril's globalising caption, and my speculations about how the sonogram was experienced by Irish viewers, are open to the critique that they use abortion law to create equivalences between very different contexts and produce a new type of othering or designation of civility/incivility based on reproductive rights. However, this approach also posits a powerful, deeply felt, international activism surrounding abortion rights. In other ways, this sonogram challenged the North American and European accounts of ultrasound I have already considered and their focus on tensions between medical diagnostics and the production of a strange type of familial imagery (Mitchell, 2009; Taylor, 2008; Watts, 2007; Wilder and Von Zwehl, 2013). Here the sonogram operates as criminal, rather than medical evidence, and shows the family (and indeed the state) at its most abusive.

Abril's image could operate as a rebuke to the use of prenatal imagery on the anti-abortion referendum posters not simply because it transferred the sonogram from anti-abortion to pro-choice discourse; or because it changed the physical site of display from the public space of political propaganda, into the cultural space of the gallery; its oppositional charge was also because this ultrasound scan did not operate alone, but was instead placed alongside text and in conversation with many other images. The sonogram, in Abril's presentation of it, represented the forced pregnancy of a child victim of rape, Inocencia, but the lengthy caption that accompanied the image quickly moved from relating this tragic biography, to offering a factual listing of the many countries, outside Nicaragua, that discount rape as grounds for abortion; the emotiveness of Inocencia's story is thus balanced by legal fact. None of the personal narratives gathered by Abril are presented alone, but instead operate in concert with each other; on the walls of the gallery, or on the pages of the book, viewers move from text to image and from image to text and from one story to another. Other types of representation punctuate these narratives: still lives of the instruments used in reproductive health and of the objects used in desperate attempts to end pregnancies; the recorded confession of a Catholic woman seeking forgiveness for her abortion; and the blurred, indistinct portraits of those who can no longer consent to their own representation or tell their own stories. Abril gathers this evidence piece by piece in a manner that counterbalances the emotive personal histories from which this documentary material is drawn. In this way, although Abril's *On Abortion* is both affective and polemical, it avoids the emotional truthiness of the foetal personhood deployed in anti-abortion propaganda<sup>7</sup>. On the Irish referendum posters, prenatal imagery and text operated in concert to amplify a sentimental message, rather than to manage, contain or supplement emotion with factual information.

The use of prenatal imagery in anti-abortion politics may be simplistic and reductive, but it is also very affective. This visual culture offers an early example of a discourse that operates through emotion rather than reason, and it is not surprising that campaigns against abortion brought Christianity and right-wing politics together in a manner that now shapes a public discourse motivated by the expression of feeling and belief—rather than the presentation of logical, informed positions in search of consensus. Pro-choice groups have occasionally sought to identify and use an image that might carry the same emotional impact as the prenatal imagery deployed in anti-abortion messaging. Most often the images proposed are of women who died as a direct consequence of abortion restrictions, but this also involves the presentation of complex ethical questions as sentiment. Karen Sandlos argues that this marks a refusal of the particularity of individual experience to present instead a 'universalising claim.' The harnessing of death by both anti-abortion and pro-choice propaganda, these images of fetuses and martyred women, reduce complex situations to 'dichotomized and morally loaded questions of life versus murder, women versus fetuses, and right versus wrong' (Sandlos, 2000: 82). The use of a single image produces too simplistic and sentimental a view of reproductive politics. This propaganda also tries to reduce the multiple contexts, frames and meanings of any photographic image to an essential, transparent, and misleading singularity. The grainy 2D ultrasound scan encountered on an anti-abortion poster, at a hospital appointment, at the front of a baby book, or at the centre of Abril's *On Abortion*, are essentially the same image—there are few distinct visual markers that allow us to tell one sonogram from another—but our understanding of the sonogram dramatically changes according to the context in which it is encountered. Given these issues, it is unsurprising that the Together for Yes campaign retreated into text, but Abril's discussion of her work reminds us of the importance of visualising abortion, people need to have their experiences of reproductive control not just articulated but also seen; Abril's practice offers a

<sup>7</sup> The term 'truthiness' was apparently first coined by the American television presenter, Stephen Colbert, in 2005. It has since entered standard dictionaries—such as Oxford, Collins, and Merriam-Webster—defined as a quality of seeming or felt truth as opposed to actual truth (Zimmer, 2010).



salient example of how a pro-choice message can be visualised without being simplified. Three years after the Irish referendum, and its significant endorsement of pro-choice policy, the overwhelming presence of foetal imagery in public space seems distant. However, the Iona Institute's billboard campaign of 2019, and continuing anti-abortion protests outside maternity hospitals and clinics, suggest that finding strategies to counter the reductive visual culture of anti-abortion groups is just as urgent now, as it was in 2018. Tracing the history of *in utero* imaging; highlighting the ambivalences of prenatal scans and the multiplicity of meaning that arises from different situations of encounter; and placing these images in conversation with other images and text; provides the necessary complexity for an effective, oppositional view into the pregnant womb.

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## *Not At Home: The Affective Labour of Repealing the 8th Amendment*

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### ABSTRACT

This article analyses the durational art campaign, *Not At Home*, through the lens of affect theory in order to explore how performance moves us: physically and emotionally; individually, but also socially and collectively. First performed in 2017, *Not At Home*, created by Grace Dyas (THEATREclub) and Emma Fraser (Nine Crows) focuses on the journey to Britain from Ireland undertaken by abortion-seeking women. Following a referendum in 1992, the right to travel for an abortion was inserted into the Irish Constitution, and thus it became legal for Ireland to export the need for abortion services. *Not At Home* draws on women's testimonies of their journeys to communicate the lived reality of the 8th Amendment as told by those who have experienced the consequences. The recreation of the journey through performance is, the article argues, best understood through affect theory. The analysis explores the affective labour undertaken by the audience, to quote Sara Ahmed, of 'moving and being moved as a form of labour or work, which opens up different kinds of attachments to others, in part through the recognition of this work as work.' (*The Cultural Politics of Emotion*).

**Keywords:** performance, affect, shame, activism, testimony

### INTRODUCTION

Following the legalisation of abortion in Britain in 1967, thousands have made the journey 'across the water' from Ireland to access abortion services. According to UK Department of Health statistics, between 1980 and 2017, at least 171,795 women and girls provided Irish addresses<sup>1</sup>. Cultural taboo has silenced these experiences and concealed the consequences (emotional, physical, and financial) of forcing people who are pregnant<sup>2</sup> to go to such lengths to access reproductive health services. The journey to Britain undertaken by abortion-seeking women was the focus of the durational art campaign *Not At Home*, created by Grace Dyas (THEATREclub) and Emma Fraser (Nine Crows). First performed at the National College of Art and Design from 14-17<sup>th</sup> September 2017 as part of the Dublin Fringe Festival, the intention was to ask the audience: 'not "Can she have an abortion?" but "Should she have to travel to do so?"' (Dyas, 2017). The project involved collecting women's testimonies describing their journeys and these were then incorporated into the performance. This contributed to the process of breaking the silence around abortion experiences, a process that was so vital to the victory of the campaign to repeal the 8th Amendment in the 2018 referendum. As Fintan O'Toole (2018) summarised:

The process mattered, political leadership mattered, campaigning mattered. But it was stories that won. Exit polls showed that by far the biggest factors in determining how people voted were 'people's personal stories that were told to the media', followed by 'the experience of someone they know'.

<sup>1</sup> This figure does not include women who gave a false or non-Irish address. Irish Family Planning Association, <https://www.ifpa.ie/Hot-Topics/Abortion/Statistics> (page no longer available). It should be noted that while abortion services are available on request in Ireland under the provisions of the 2018 Abortion Regulation Act, this is only legal up to 12 weeks of pregnancy. As a consequence, some people are still forced to travel abroad. Abortion was decriminalised in Northern Ireland in 2019 but, as of writing, the NI Executive has failed to commission full abortion services, so the need remains to travel 'across the water' to England for abortion services.

<sup>2</sup> *Not At Home* addresses 'the experiences of women' so, when discussing the performance, I will refer to women; that said, transgender and non-binary people, who can and do become pregnant, are also affected by the necessity to travel for abortion services.

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*Not At Home* featured video, sound installation and live performance to recreate women's experiences of travelling abroad for abortion services. The installation created an immersive experience to communicate the lived reality of the 8th Amendment as told by those who have experienced the consequences. This article will explore how affect underpins the activist intent of the work and examine the ways in which the audience's participation can raise awareness of 'moving and being moved as a form of labour or work' (Ahmed, 2004: 201).

Following a referendum in 1992, the right to travel for an abortion was inserted into the Irish Constitution, as was the right to information about abortion services, and thus it became legal for Ireland to export the need for abortion services. The hypocrisy of forcing women to travel was made clear by the campaign title, *Not At Home*, and the stated aim of the work was 'to make visible the experiences of women who travel abroad to access safe abortion services, to highlight the consequences of Ireland's abortion laws and to connect women who have travelled in solidarity.'<sup>3</sup> The fact that we do not hear the voices of women who cannot travel, due to reasons such as financial costs and visa restrictions, highlights their further exclusion; they do not have the option of travelling to access safe abortion services. *Not At Home* endeavoured to appeal to several audiences including the women who have travelled (a private event was held on 13 September 2017 for these women to attend), and also the audience member who is open to engagement with the issue of abortion<sup>4</sup>. Dyas and Fraser (2017) are clear that: 'This is not a sermon for the converted.' However, it is likely that the installation at the National College of Art and Design (NCAD) galvanised 'converted' supporters of Repeal and affirmed their solidarity. Conversely, it is uncertain if audience members open to engagement attended, and if they did, whether they engaged in active emotional and conceptual participation which resulted in a change in their stance towards abortion. This performance was part of an ongoing, national conversation around reproductive justice in Ireland and as such, it is hard to measure the extent to which the work effected social change. Rather this article retraces my journey through *Not At Home* as a means of putting affect at the centre of analysis and conveying this affective experience to the reader. My analysis will explore the political affects generated through the performance; affects which contribute to breaking the silence around abortion experiences and thereby have the capacity to move the audience, physically, emotionally, and perhaps politically.

## PERFORMANCE AS 'ARTIVISM'

Performance has been central to much of the artwork which has contributed to the debate around reproductive rights, from processions and protests to galleries and theatres. In *Tremble, Tremble*, which represented Ireland in the Venice Biennale 2017, visual artist Jesse Jones expanded her range of media to incorporate performance into the mix of text, sculpture, and film. Jones worked with Olwen Fouéré, who played the figure of a witch whose giant presence on the installation's screens dominated the space, as did the projection of her arms and hands onto moving curtains which embraced and ushered the audience around the installation. Jones' work enacts a bewitching of the judicial system, tearing down the structures which police women's bodies to create a new space rooted in the law of female bodies. In contrast, Tara Flynn's one woman show *Not A Funny Word* (2018, co-produced by THISISPOPBABY and the Abbey Theatre) used humour and song as a means of sharing her testimony of travelling from Ireland for an abortion. The range of performances that have been produced during the decades of campaigning for reproductive justice attest to the array of strategies that have been drawn on to share abortion experiences.

Theatre and performance have served to chart the changing nature of abortion journeys. At the time of the insertion of the 8th Amendment into the Irish Constitution (1983), 'taking the ferry' was a commonly used euphemism to denote the journey to the UK to access abortion services. Evelyn O'Malley's discussion of two plays, Sarah Binchy's *Thorny Island* (2012) and Eva O'Connor's *My Name is Saoirse* (2014), explores the queasy affects of the ferry journey taken to obtain abortion services and the affective dissonance generated through performance of these plays (O'Malley, 2019: 23-38). Women undertaking this journey in the 1980s and 1990s were offered support and accommodation by members of the Irish Women's Abortion Support Group (see Rossiter, 2009). The removal in 2001 of a legal requirement that non-resident women remain overnight in Britain following an abortion, together with the advent of cheaper flights, meant that the duration of the stay and mode of transport changed on the 'abortion trail'; yet, the cost, shame, and trauma endured. From the 1990s, the rolling suitcase came to denote women's journeys to access abortion services and was a striking visual image deployed by pro-choice campaigners. In 2016, protesters in London marched to the Irish Embassy with suitcases in tow, while ROSA (For Reproductive rights, against Oppression, Sexism and Austerity) organised a walk with suitcases from Dublin city centre to the airport in May 2018 in order to highlight abortion journeys.

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<sup>3</sup> <http://notathomeireland.com/#OurStory> (Website no longer available).

<sup>4</sup> I did not attend the private event; my performance analysis arises from my experience of the event which was open to the public.



Dyas and Fraser describe *Not At Home* as ‘a durational art campaign on the subject of Ireland’s abortion laws’ (Dyas, 2017). ‘Artivism’ designates the role of art-makers as agents of social change. Rodney Diverlus explains how artivism draws on the strengths of both art and activism through:

the understanding that, in the absence of social consciousness, art cannot reach its full range of potentials; and without creativity, activism risks being one-dimensional and irrelevant’ (Diverlus, 2016: 191).

The artivism of the Repeal campaign was animated by demands for reproductive justice and made concrete through a collective set up in 2015 by artists Cecily Brennan, Alice Maher, Eithne Jordan, and Paula Meehan: the Artists’ Campaign to Repeal the 8th Amendment. Their initial online petition collected over 3,000 signatures and soon developed into a movement. Prior to the referendum in 2018, the Artists’ Campaign participated in Limerick’s biennial art festival EVA International (*Not At Home* was also part of the festival programme in 2018). The striking imagery displayed on the banners which were held aloft during the festival’s opening procession contested the cultural iconography of Woman<sup>5</sup>. Artist Rachel Fallon’s ‘Aprons of Power’ bore political messages and eye symbols which evoked the surveillance of women’s bodies; she stated:

I think visuals are really important to people and it does change how you see something. If it’s not aggressive, it leaves an opening to talk rather than presenting something as a dogmatic fact. As a counterbalance to these at times horrific photos the anti-choice side like to show, [we] try to create a visual culture that is more hopeful (Saner, 2018).

This hopefulness resonates with Diverlus’ description of the utopian impulse of artivism which is driven by a desire to change our world: ‘Art gives us a vision of what our world should be; activism gives us the toolbox to craft that ideal world’ (Diverlus, 2016: 206). Jill Dolan’s proposal of utopian performatives draws on theatre and performance’s potential as ‘a place where people come together, embodied and passionate, to share experiences of meaning making and imagination that can describe or capture fleeting intimations of a better world’ (Dolan, 2005: 2). For Dolan, ‘the experience of performance, the pleasure of a utopian performative, even if it doesn’t change the world, certainly changes the people who feel it’ (Dolan, 2005: 19). Performance does not give us a vision of how our world might be but an experience of how it might *feel*: my analysis of *Not At Home* centres the experiential and its political potential.

It is important to note the difficulties encountered in bringing abortion experiences into the public and cultural sphere during the decades long campaign against the 8th Amendment; obstacles which were experienced right up to referendum day. During the month of May 2018, *Not At Home* toured venues across Ireland and in the week leading up to the referendum, visited the towns of Wexford and Portlaoise, as well as Temple Bar in central Dublin. However, several venues including ones in Galway and the Crawford College of Art and Design’s Gallery in Cork withdrew their invitations. Following these cancellations, Dyas and Fraser were faced with a financial deficit<sup>6</sup>. Crawford College cited the Charities Regulator guidelines to defend their decision, claiming that hosting the work was inappropriate because ‘as a publicly-funded body we need to be conscious of our duty to maintain and portray a neutral position’ (Falvey, 2018). This raised concerns over censorship of artistic expression; concerns that also surfaced when the Charities Regulator ordered the removal of the Repeal the 8<sup>th</sup> mural by street artist Maser from the front of the Project Arts Centre, Dublin.

## ‘ABOVE ALL I’VE LISTENED TO WOMEN’

Performance was a vital component in facilitating the creation of spaces in which personal abortion experiences could be shared, and, crucially, heard. Irish theatre has been experiencing what Emilie Pine has described as a ‘witnessing boom’ as numerous testimonial plays bear witness to Ireland’s painful past; experiences which include sexual violence and institutional abuse (Pine, 2020: 12). The Artists’ Campaign to Repeal the 8th Amendment organised *A Day of Testimonies* at the Project Arts Centre in August 2017 which drew on visual art, film and theatre to give voice to women’s abortion experiences<sup>7</sup>. *Not At Home* also makes explicit the link between the personal and political by drawing on the personal testimonies of women. From April 2016, Fraser and Dyas started

<sup>5</sup> See <http://www.rachelfallon.com/aprons-of-power-and-the-artists-campaign-to-repeal-the-eighth-amendment> (Accessed 10 December 2020).

<sup>6</sup> See ‘Stand up to Censorship of Women’s Experiences’, <https://www.indiegogo.com/projects/stand-up-to-censorship-of-women-s-experiences-women#/> (Accessed 2 February 2021).

<sup>7</sup> See Artists Repeal the 8th, <https://vimeo.com/user62255734> (Accessed 2 December 2020).

collecting anonymous testimonies from women online<sup>8</sup> and then in June 2017, they visited the British Pregnancy Advisory Services in Liverpool. They drew both from the crowd-sourced text and from their experience of travelling to Liverpool, to recreate women's experiences of travelling abroad in *Not At Home*.

Grace Dyas' work has marked her out as an important theatre-maker and activist; she is one of the founding members of THEATREclub (established in 2008). Together with companies such as ANU Productions and Brokentalkers, THEATREclub shares a desire to expose hidden histories. In 2017 Dyas further revealed her commitment to challenging a culture of silence when she published a blog post alleging Michael Colgan, then director of the Gate Theatre, had made comments of a sexual nature about her. Led by Dyas' courage, other women followed suit and Colgan became national news as they disclosed stories of inappropriate touching, highly sexualised comments, and workplace bullying. Dyas revealed that her decision to speak out was inspired by Waking the Feminists (WTF), a grassroots campaign set up in November 2015 to address gender equality in Irish theatre. #WTF was a direct response to the Abbey Theatre's announcement of its 'Waking the Nation' commemorative programme, which marginalised women's contributions with 90% male playwrights and 70% male directors. Waking The Feminists and the campaign for Repeal played out against revelations about the Cervical Check controversy in 2018, which revealed that women had been given incorrect smear test results, and the discovery of a mass grave at the Bons Secours Mother and Baby Home in Tuam, Co. Galway<sup>9</sup>. Ireland faced a reckoning (which continues) with regard to the historical and ongoing silencing of women.

Dyas' decision to speak out also emerged from the context of the #MeToo movement which saw women publicly share their experiences of sexual harassment and assault. Women took control of their narrative and shared their stories to expose 'rape myths' and the structures that have supported a culture of sexual violence towards women. Jia Tolentino critiques the 'prayerful reverence' with which some people wrote about women 'speaking out' and that at times the 'importance of action was subtly elided' (Tolentino, 2019: 19). #MeToo served to assert the validity of women's experiences, and at its most powerful it took forms that ensured women's voices were heard and change effected. The context, forms, and spaces from which testimony emerge are crucial. The possibility of conceiving new forms through which women can voice their experiences and be heard to effect change was illustrated by the Citizen's Assembly in Ireland which was created in 2016 and comprised 99 randomly selected Irish citizens. They considered a range of important issues including the 8th Amendment. A majority of Assembly members ultimately recommended amending the Irish constitution to allow lawmakers to address the issue of abortion access. The Assembly acknowledged the importance of the personal testimonies of women in crisis pregnancies (including members of Terminations for Medical Reasons) in aiding their deliberations. This was also highlighted by the Taoiseach Leo Varadkar's statement in January 2018, that his decision to campaign to repeal the 8th Amendment was informed by the fact that 'above all I've listened to women'. The fight for abortion rights was ongoing for decades, and in his speech following the referendum result, Varadkar characterised the decades long campaign as a 'quiet revolution' (RTE, 2018). It is the failure to listen to loud and insistent demands for change that imposes silence. In order to think about transforming the act of listening into the potential to effect change, I want to now turn to consideration of the participatory demands that *Not At Home* makes on audience members: how engagement in affective labour has the potential to result in their being moved emotionally and politically, and possibly into action.

## THE AFFECTIVE LABOUR OF PARTICIPATION

The work of a generation of theatre-makers, including THEATREclub, ANU, and Brokentalkers, was nurtured during the years of Róise Goan's directorship of the Dublin Fringe Festival from 2008 to 2013. What emerges from their work is what Miriam Haughton has described as a

paradigm shift in the forms of theatre and performance making in contemporary Ireland, challenging their audiences to participate physically, politically, and personally in their performances (...) (Haughton, 2015: 140-1).

I frame my discussion of *Not At Home* through affect theory in order to explore the potential political effects of participation. Affect is the forces and intensities that circulate between bodies, and that, in the words of Gregg and

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<sup>8</sup> <http://notathomeireland.com/#YourStory> (Website no longer available).

<sup>9</sup> In 2014, the work of local historian Catherine Corless brought international attention to the Bons Secours Mother and Baby Home in Tuam, Co. Galway (1925–61). Her research led to the discovery in 2017 of a mass grave in a septic tank containing the bodies of as many as 796 babies and children. In 2018, Vicky Phelan, a 43-year-old mother of two who has terminal cervical cancer, launched a High Court action after it emerged her smear test seven years earlier was later in a review found to be incorrect. Phelan was not informed of this until 2017. It emerged that 14 other women were also given false-negative test results.

Seigworth, arise 'in the midst of *in-between-ness*' (Gregg and Seigworth, 2010: 1). An understanding of affect as the *circulation* of felt intensities is important as it is identified by movement and the potential for the creation of affective communities which are moving and in movement. Sara Ahmed's work in *The Cultural Politics of Emotion* posits emotions as 'relational' and discusses the work involved in 'such affective forms of reorientation' (Ahmed, 2004: 8). Crucially it is the circulation of these felt intensities that takes us beyond the individual and has the potential to reshape our relationships and create communities. Performance offers the prospective creation of spaces in which the sharing of women's experiences might generate affective communities and solidarity. The activism of *Not At Home* served to diminish the isolation inflicted by the stigma and wall of silence around women's bodies and experiences. The affective imprint amplified the voices and testimonies of women, by carving out physical spaces which nurtured 'the real powers of affect, affect as potential: a body's capacity to affect and to be affected' (Gregg and Seigworth, 2010: 2).

The ways in which the audience of *Not At Home* were invited to participate will underpin my discussion of the affective terrain navigated through the installation: the creation of an experiential opening which encourages engagement in affective labour. Ahmed states, 'justice has to leave room for feeling better, even if it is not *about* feeling better' (Ahmed, 2004: 201). Ahmed's argument enables us to link the emotional work of truth-telling with demands for reproductive justice; of fairness and equity for those who have to travel from Ireland to obtain abortion services. Ahmed is not advocating 'feeling better' as a reassuring or self-affirming sentimental act or cathartic release, rather she argues that there are a range of ways in which the work can be done and through a range of emotions but that what is fundamental is the continued effort to work at it. Ahmed describes 'moving and being moved as a form of labour or work, which opens up different kinds of attachments to others, in part through the recognition of this work *as* work' (Ahmed, 2004: 201). This resonates with Pine's argument that the audience of testimonial performances engage in labour as active witnesses:

Highlighting the role of immaterial labour is a political act, making visible the mnemonic, emotional, intellectual, and physical labour that are necessary to the witnessing event (Pine, 2020: 9).

In *Not At Home* the audience participate by moving through the installation and engaging in the political work of 'feeling better'. Abortion is, to apply a phrase of Ahmed's, 'saturated with affect', a site 'of personal and social tension' (Ahmed, 2004: 11), so I want to explore how *Not At Home* engages the audience with this 'sticky' subject.

## THE JOURNEY THROUGH *NOT AT HOME*

In order to examine the affective experience of *Not At Home*, I will now retrace my passage through the spaces of the installation. As I approached the venue (NCAD) on the afternoon of 16 September 2017, my first view was of two women individually framed and isolated against screens in the large windows facing onto Thomas Street. They were dressed in hospital gowns and had rolling suitcases with them; visual cues which instantly referenced the act of travelling, as well as evoking the women as patients. This was echoed by the footage relayed on the screens behind, of airports and planes, roads, and of the movement of a journey seen from behind a rain-drenched window. Excerpts from the testimonies sourced by Fraser and Dyas were projected onto the exterior wall above the windows. These words resonated with the stories told by the women in the windows; stories which were amplified onto the street through speakers. My attention was then drawn to a black taxi which was parked outside and had a sign on the window inviting people to enter.

Central to *Not At Home* is the creation of a contemplative space, Dyas and Fraser describe how:

We want to create a waiting room. This is the waiting room where Irish citizens wait for this issue to be resolved. The audience will have autonomy in how they navigate the space. It's quiet. It's calm. It's reflective (Programme Note).

The first reflective space into which I entered was the taxi. I climbed in and listened to the radio playing an audio recording of taxi drivers from Liverpool who shared their experiences of driving women between the airport and the clinic. What was initially so striking was how the taxi drivers are accustomed to this experience, a pattern which attests to the numbers of women forced to undertake the journey. As their stories further unfolded what also emerged was their compassion; one of the taxi drivers said:

They are often alone. It makes me think of my daughter, if it was her, I would want someone to be with her, so I try look after them as best I can.

This contrasts with the words of one woman's testimony which were projected onto the wall of NCAD and described how Ireland 'turned her back in shame and wouldn't even look at me, pretended I wasn't there.'

Ahmed describes how shame ‘involves the de-forming and re-forming of bodily and social spaces, as bodies “turn away” from the others who witness the shame’ (Ahmed, 2004: 103). This woman’s experience of having Ireland ‘turn(ed) her back in shame’ bears testament to the legacy of a politics of gendered shame central to the foundation of the modern Irish State and the formation of bodily and social spaces within it. The fledgling Irish nation constructed woman as the bearer of the nation’s moral purity with virginal maidens and married mothers as the feminine ideal. A network of institutions, which included Magdalen Laundries and Mother and Baby Homes, was used to hide away and punish women who had failed to live up to this ideal. Caelainn Hogan defines this network as the nation’s ‘shame-industrial complex’ which independent Catholic Ireland brought ‘to a sort of dark perfection’ (Hogan, 2019: 29). This serves to remind us that ‘home’, as feminist scholarship has argued, can function as an exploitative space where gendered labour is unpaid, as well as potentially being an unsafe place, as statistics on domestic violence attest. As I sat in the taxi parked outside the installation, everyday life continued on the streets around me. This evoked an experience of isolation suggestive of the silence surrounding women’s experiences of travelling for abortion services; a reminder of the complicity of ignoring women’s experiences while in plain sight. Yet the creation of a quiet space in which the audience member could sit with and reflect on these stories simultaneously counters the turning away that Ahmed describes: the silence, concealment, and isolation imposed by shame.

The taxi created a space of reflection which echoes the experience of isolation suffered by women travelling for abortion services, while simultaneously opening up the possibility of connection and the creation of an affective community; the realignment of bodies into a solidarity. We allow what we hear to make an ‘impression’, a term which Ahmed deploys to avoid distinctions between bodily sensation, emotion and thought. Ahmed suggests:

*We need to remember the ‘press’ in an impression.* It allows us to associate the experience of having an emotion with the very affect of one surface upon another, an affect that leaves its mark or trace. So not only do I have an impression of others, but they also leave me with an impression; they impress me, and impress upon me (Ahmed, 2004: 6, Ahmed’s italics).

*Not At Home* created spaces of reflection which facilitate the circulation of affects which impress upon the audience. Though not assured, there is the potential for these affective traces to be carried beyond the moment of performance, and that the audience member is not just emotionally moved but might be moved to action; action which might manifest in a variety of ways, including voting.

## THE WAITING ROOM

The taxi is a space of transit, of preparation, waiting, or recovery, and these experiences were also evoked through the interior spaces of the installation. Upon entering NCAD, I walked into a reception area in which the audience was advised to navigate the space as they wished. I gravitated towards the large open space of the room which fronts onto the street. Performers, dressed in hospital gowns with rolling suitcases in tow, took turns to walk into the framed spaces of the windows to read the testimonies contributed online. The Waiting Room was recreated at the back of the large space by a row of chairs and a coffee table. On this table, there were magazines which bore the affective traces of the waiting experience as they came from the clinic in Liverpool which Fraser and Dyas visited. What at first glance appeared to be a digital clock above the seating area, was a counter totalling the number of women who have travelled from Ireland to the UK for abortions since 1980: over 170,000. The experience of waiting and my acute awareness of time passing was heightened by the numbers counting upwards as women continued to travel as I sat there. To the right of the seats was a desk where a woman (Grace Dyas) read from a weighty book filled with women’s testimonies. This hefty volume evoked a book of Judgement with the Catholic Church as judge. However, *Not At Home* rebuked judgement as an endpoint, which implies that the act of listening is over, instead, offering an ongoing archive of experience as women continue to travel and add their stories.

To the left of the waiting area, and the opposite side of the room to where Dyas was seated at the table, was a large white plywood board with holes. There were several sets of headphones which could be plugged into these holes to enable the audience to listen to women’s experiences. The listener was placed in an active role, highlighted both by the fact that the audience chose which stories to connect to and made the decision of when to stop listening. I put on the headphones and listened to the myriad reasons why women choose to have an abortion; testimony which was inflected by attendant emotions of shame, guilt, anger, loss. The responsibility invoked by listening weighed heavily. Máiréad Enright notes that when abortion-seeking women’s ‘testimonies entered formal legal spaces they were constructed as stories of victimhood or tragedy’ (Enright, 2020: 107). In contrast, *Not At Home* gathers a wide-ranging archive of experience which defends women’s right to bodily autonomy, whatever

the circumstances. The cumulative effect of immersion in the installation peaked during this encounter, both through active listening and embodied awareness.

Campaigners for reproductive justice have had to fight against an Irish cultural narrative which associates shame with women's bodies and has thus endeavoured to erase them. Enright draws attention to the ways in which women's abortion experiences were excluded from legal debate unless 'they could abstract themselves, or be abstracted, from their embodied context' (Enright, 2020: 106). The eradication of women's bodies was also evidenced during the referendum campaign through the No campaign posters which depicted fetuses with no reference to the bodies who carry them. In contrast, the hugely successful online campaign *In Her Shoes: Women of the Eighth*<sup>10</sup> positions the viewer inside the body of the woman whose experiences they are reading as each story is accompanied by a photo of the woman's shoes, taken from the perspective of her eyeline. *Not At Home* returned women's bodies in an immersive, experiential manner. Through the intimate act of listening through headphones, the audience located the woman's experiences in their own body and stood in her shoes. The articulation of women's embodied experiences between and through the body and bodies of the audience becomes a radical act. The audience member entered an auditory bubble where they are both in a private, isolated space, while simultaneously aware of the expansion of their body as they inhabit the women's stories. The boundaries between public and private were blurred to create a heightened embodied awareness that the personal is political. For me, this was one of the most affective moments as it facilitated:

the messiness of the experiential, the unfolding of bodies into worlds, and the drama of contingency, how we are touched by what we are near (Ahmed, 2010: 30).

The audience of *Not At Home* were positioned both within and outside; they were simultaneously immersed in the testimony, yet remained outside as the listener who can choose when to walk away. This experience recognises the labour of 'moving and being moved' and its potential to 'open(s) up different kinds of attachments to others' (Ahmed, 2004: 201).

The mobilisation of audience affective participation was heightened through the recreation of the auditory impressions of the experience of travelling for an abortion. This was evident in the sound design of the installation by Frank Sweeney and echoed in a publicity video produced for the campaign<sup>11</sup>. In the video the experience of travelling is evoked through the sounds heard on the plane: of voices chatting, seatbelts clicking, and the repeated sound of the 'fasten your seatbelt' bell. The viewpoint is from behind windows (taxi, airport, plane), creating a sense of distance and isolation; a view that is at times blurred as rain trickles down the windowpane. Abruptly, the scene changes to a stark, white waiting room. It is empty but the soundscape echoes with the repetition of the 'fasten your seatbelt' signal. The auditory impressions evoke and recreate the in-between space of the journey. As the audience travel through *Not At Home* they occupy an in-between space, negotiating their immersion in the experience and their position as audience member. This is crucial to establishing the waiting room as a space for reflection; moreover, it is 'in the midst of *in-between-ness*' (Gregg and Seigworth, 2010: 1) that the audience are made aware of their engagement in affective labour.

## THE RECOVERY ROOM

After spending some time in The Waiting Room, I moved on to the room at the opposite end of the reception space: The Recovery Room. *Not at Home* encouraged the audience to 'feel better' and it does this through exploration of the sticky affects which circulate around abortion, including shame, guilt, anger, loss. In a work which was so affectively immersive, this final room was vital. It was an inviting, calm space with soothing lighting, and I felt a sense of relief after the intensity of The Waiting Room. There were several round tables at which people could sit, talk (or not), and process the experience and their thoughts. In the space of The Recovery Room, participants were invited to write down their comments on post-it notes which could be added to the collection of notes accumulating on the wall. The audience was offered the opportunity to add their testimony to the ongoing creation of an archive documenting women's lived experiences of abortion journeys<sup>12</sup>.

The emphasis throughout *Not At Home* was on encounter, connection, and solidarity. Sandra Lee Bartky describes how the 'need for secrecy and concealment that figures so largely in the shame experience is disempowering ... for it isolates the oppressed from one another and in this way works against the emergence of

<sup>10</sup> See <https://www.facebook.com/InHerIrishShoes/>

<sup>11</sup> See clip on <https://www.rte.ie/culture/2017/0821/898950-grace-dyas-and-i-am-one-of-the-authors-of-not-at-home/> (Accessed 2 March 2020).

<sup>12</sup> The last iteration of *Not At Home* took place in the week leading to the referendum, and saw the creation of a wall of post-it notes in front of the Temple Bar Gallery + Studios, Dublin. This is located in a central part of the city which many people pass by.



a sense of solidarity' (Bartky, 1990: 97). The affective experience of *Not At Home* served to counter this disempowerment through the realignment of bodies through affective labour; bodies which have directly felt the oppression of the 8th Amendment, and those which have been impressed upon through the sharing of these experiences. The installation created intensely affective moments with the capacity to produce an affective community: a solidarity generated through affective labour, which is moving in its flexibility and inclusivity. In the lead up to the referendum, I saw friends struggle with reliving the trauma and stigma of their experiences under the 8th Amendment, highlighting the personal toll as the referendum campaign unleashed the sticky affects around abortion. What was vital was that these affects impress upon the whole nation to engender a commitment to nuanced, reflective thinking and to continued movement towards justice. To this end, *Not At Home* endeavoured to immerse audiences in women's experiences of being forced to travel abroad for abortion services. This affective labour echoed the intense work required of the nation; a long overdue labour which placed women's lived realities and their embodied experiences centre stage, and ultimately led to support for women's right to bodily autonomy. And yet, as figures from the UK Department of Health and Social Care show, that despite travel restrictions owing to the pandemic, 194 women or girls who had abortions in Britain in 2020 gave addresses in the Republic of Ireland (Holland, 2021). Under The Health (Regulation of Termination of Pregnancy) Act, a medical abortion is only available on request up to 12 weeks<sup>13</sup>. As the need to travel for abortion services endures, so too does the need to facilitate the work of 'feeling better' the experiences of those who travel.

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<sup>13</sup> Thereafter an abortion must be performed in a hospital, and only in exceptional circumstances where continuing the pregnancy would put the woman's life or health at serious risk or where the baby is likely to die within 28 days of birth due to a foetal abnormality.

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## Think Outside My Box: Staging Respectability and Responsibility in Ireland's Repeal the 8th Referendum

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### ABSTRACT

This article argues that the targeting of certain narratives of womanhood, those deemed 'respectable' and 'responsible', operated as a key performative and affective strategy during the Irish 2018 Referendum on the 8th Amendment of the Irish Constitution. When the Referendum to 'repeal the 8th' amendment was announced, both pro-choice and pro-life campaigns affiliated themselves with idealised imagery, narratives and performative strategies that focused on outdated patriarchal heterosexual constructions of 'good' women, i.e., respectable and responsible women, with the intention of convincing middle-ground voters. Pro-life and pro-choice campaigns in Ireland are deeply oppositional; that both sides identify the performativity of respectability and responsibility as the most influential narrative to convince the electorate signals that the conception of embodied womanhood and the traditional heterosexual family remains inextricably linked with idealised nationhood, entrenched with ideological, affective, political, cultural, and personal power. 'Think Outside My Box' is a call to cut ties that intersect with the foundational myth of modern Irish nationhood, and, female embodiment and representation in the twenty-first century.

**Keywords:** gender performativity, Irish performance and politics, postcolonial narratives, affect and shame, emigration and mobility

Infanticide is rising. Five Irish babies have been found dead on beaches or rubbish tips in various parts of the country this year, 2000. Hospitals report a shocking increase in the number of children admitted suffering from physical abuse within two-partner families. Single parents remain a severely disadvantaged socio-economic grouping, with single mothers prone to depression at twice the rate of mothers living with their life partner. The evidence implies widespread desperation (Ruane, 2000: 6-7).

### INTRODUCTION: THE RIGHT TO LIFE, THE RIGHT TO LIVE

The Ireland that Ruane (2010) depicts is a grim place to live. Indeed, there has been a heavy price paid for upholding a deeply conservative and stylised performance of respectability and responsibility in Ireland, inextricably linked to church and state control of female bodily autonomy. This article argues that the targeting of certain narratives of womanhood, those deemed 'respectable' and 'responsible', operated as a key performative and affective strategy during the Irish 2018 Referendum on the 8th Amendment of the Irish Constitution relating to the legalisation of abortion services. As noted in the opening to this special issue, the 8th Amendment was inserted into Article 40.3.3 by referendum in 1983, placing the right to life of the unborn foetus as equal to that of the mother. These laws and subsequent restrictions resulted in the violation of human rights according to the Irish Council for Civil Liberties, including the right to life, to be free from torture, discrimination and arbitrary detention, the right to healthcare, information and dignity in healthcare, privacy, and bodily integrity ('What is the Eighth Amendment' ICCL.ie). Thus, Irish people and narratives of nationhood have been subject to stringent policing, censorship and divisive rule for decades, creating an embittered context for any discourse concerning abortion or female bodily autonomy. Consequently, when the Referendum to 'repeal the 8th' amendment was announced, both pro-choice and anti-abortion campaigns affiliated themselves with idealised imagery, narratives and

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performative strategies that focused on outdated patriarchal heterosexual constructions of ‘good’ women, i.e., respectable and responsible women, with the intention of convincing middle-ground voters. This strategy was employed by the anti-abortion campaign groups Save the 8th (<https://www.save8.ie/>) and Love Both (<https://loveboth.ie/>) and also, the pro-choice group Together for Yes (<https://www.togetherforyes.ie/>).

Anti-abortion and pro-choice abortion campaigns in Ireland are deeply oppositional and contentious; that both sides identify the performativity of respectability and responsibility as the most influential narrative to convince the electorate of voting for/against abortion is deeply telling. It signals that prevailing ideas of womanhood, motherhood, and the heterosexual family in the twenty-first century remain informed by, and thus respond to, a stylised performativity of idealised nationhood as a patriarchal construct that is affective materially, ideologically, politically, and personally (Connolly, 2015; Ferriter, 2010; Fischer, 2017, 2019; Hill, 2019; Sihra, 2007). The images used in Together for Yes campaign posters, graffiti, online memes, merchandise, public debates and interviews often relied on or represented the testimony of individual women who were largely middle class, heterosexual, married, Anglophone and white. Chakravarty et al. (2020: 174) extensively analyse the failures of intersectional praxis in the 2018 referendum campaign identifying practices of:

(...) othering and silencing sections of the population in favour of demands seen to be more palatable to ‘middle Ireland’ in order to ensure the success of the referendum.

These married, middle-class, and white heterosexual women were situated as representative of respectable society throughout Ireland and therefore deserving of ‘empathy’ and ‘trust’ by the electorate (Begas, 2016). Conversely, the ‘No’ campaign (consisting of Save the 8th and Love Both groups) placed idealised motherhood to the forefront of their imagery and discourse, demonstrating how ‘respectable’ Irish women (i.e. mothers) do not have abortions. In both cases, the reduction of complex social and personal experience to problematic depictions of good vs bad heterosexual women and the deployment of these images signals patriarchal, capitalist, and discriminatory politics concerning respectability and responsibility. This article contends that these campaign strategies are directly at odds with the generations of feminist activists who operated networks of resistance, support and research internationally for Irish women’s bodily autonomy.

This representational politics is not specific to Ireland nor to Irish debates on abortion. Foregrounding white heterosexual middle-class women as representative of any issue pertaining to womanhood and autonomy has been critiqued throughout the rise of second wave feminism and beyond (Archer Mann and Huffman, 2005; Rosenfelt et al., 1987). Black, lesbian and working-class voices were marginalised as western feminist campaigns identified strategies that were perceived as more effective for winning wider national debates in opposition to the prevailing systems of power dominated by patriarchal and conservative interests (Ahmed, 2017; Carbin and Edenheim, 2013; Chakravarty et al., 2020). However, the scope of this article will remain attuned to the cultural politics pertaining to the performance of respectability and responsibility in an Irish context, centralising the performativity and affect of shame as a political tool. To achieve this, this article offers three strands for analysis. Firstly, it will consider how respectability and responsibility operate as political tools inextricably linked with the politics and affect of shame as theorised by Ahmed (2004, 2005, 2010, 2017), Fischer (2016, 2017, 2019, 2020), Probyn (2009), Sedgwick (2003), and Tomkins (1995). Secondly, it will situate the fundamental role played by activists, primarily from 1980 to 2018, who risked personal welfare, professional opportunity, social and community inclusion, and economic hardship to support thousands of women in difficult circumstances<sup>1</sup>. Finally, it will analyse the social media performance of travel into Ireland from abroad during the referendum as a reversal, physically and affectively, of Irish women’s travel outward in search of reproductive rights. This article is in conversation with, and indebted to, scholarship that acknowledges the deep histories of activism that resists the silencing processes engendered by shame and finds a way to communicate, even when speaking is unsafe or unheard.

‘Think Outside My Box’ critiques the ongoing impact of foundational myths of modern Irish nationhood and indeed nationhood as a master-narrative pertaining to female embodiment, autonomy, and representation in the twenty-first century. Ireland—as concept, image, and ideology of nation—emerged as a burden placed at women’s wombs over a century ago. Women are supposed to know their place as keepers of this flame but not active agents in the very processes of national collective meaning-making or indeed, personal autonomy. Women’s bodies represent a deeply patriarchal nexus of nationhood, law, and religious doctrine threaded together via postcolonial anxieties and needs. Ruane (2000) pinpoints the stakes at play in Ireland’s respectability-responsibility dyad in 2000, well over a decade before the most recent tipping points in this long journey emerged. These tipping points include the tragic death of Savita Halappanavar in 2014 due to her being refused an abortion by University Hospital Galway

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<sup>1</sup> Pro-choice abortion activism and support networks emerged before the 1980s. However, there is a limit to what we can achieve within the scope of one article, so we draw from particular examples that occur during this period as it coincides with the introduction of the Eighth Amendment.



(Specia, 2018), and the establishment of the Constitutional Convention (<https://www.constitutionalconvention.ie/>) in 2012. Ruane (2000: 6) details that:

Irish society needs women's silence to keep its good opinion of itself. [...] the story of Irish women is usually authored by someone else, with few women daring to speak for themselves, to become visible. But just as years of concealment about the abuse of children in state institutions were finally ruptured when its reality became untenable, years of denying the reality of abortion is starting to tell unbearably on other aspects of Irish life.

Thus, the narrative of Irish values neglecting gender equality for women has existed for almost a century. In this narrative, performative and affective relations of respectability and responsibility are deeply tied up with histories of shame for women and family, including the punitive cruelties of institutionalisation and social disgrace that remain unresolved politically and historically (Houghton et al., 2021). The importance of maintaining and defining respectability in Ireland led to a culture of shame, secrecy, and silence throughout the twentieth century, particularly around women's bodies. However, narratives are subject to context, informed by and informing the social, political, and cultural conditions in which they circulate. Recent decades have witnessed seismic shifts to social attitudes and cultural practices, including the pivotal role education has played in creating a society wherein questions can be asked, experiences can be shared, and new stories of person and place, gender and nation, can emerge. But first, this article must attend to this dysfunctional triadic relationship across respectability, responsibility and shame that pervades the affective conditions of the Repeal the 8th Referendum.

### **“WHERE DID THE SHAME COME FROM?”<sup>2</sup>**

In 1916 Dr. Thomas Gilmartin, the former Archbishop of Tuam, stated that '[t]he future of the country is bound up with the dignity and the purity of the women of Ireland' (Hogan, 2019: 45). A century later, Taoiseach (Irish Prime Minister) Enda Kenny would address the hypocrisy of Irish society following the discovery of the remains of hundreds of children buried in an underground septic tank at the Tuam Mother and Baby Institution (see Tuam Oral History Project), referring to what he termed Irish people's 'perverse, morbid relationship with what you call respectability' (Hogan, 2019: 46). Over the course of one hundred years, the veil of morality, respectability, and the authority of the Roman Catholic Church (RCC) in Ireland fell<sup>3</sup>. However, in 2018 during the campaign to repeal or retain the 8th Amendment of the Irish Constitution, the narrative of both campaigns relied heavily on representations of respectability and responsibility.

Indeed, what does respectability mean? It suggests the absence of stigma, the freedom from shame, the warmth of assured collectivity via community: present, explicit, visible, and reinforced iteratively. Where respectability is considered absent, the space for shame opens up, pervading both personal and public spaces. As Fischer (2020: 998) theorises:

Shame—a negative emotion that usually involves hiding a moral failure—has long cut across public and private spheres to guarantee, through the excising of shameful gendered others and the strict regulation of women's bodies and social roles, a national identity centered on gendered superior purity and virtue. The most intimate parts of women's lives were thus structured by an emotion that traversed public and private spheres to ensure the public governance of women based on their private transgressions.

Fischer (2019: 33) identifies the pivotal role postcolonialism has played in modern nation-building that 'relied on shame and the construction of the Irish nation as a particular, gendered place,' which enacted 'gendered displacement' via its policies on Irish women's right to travel for abortion, but not access those services domestically. Although the structures and belief systems that contributed to the existence of Ireland's religious institutions pre-dates the independent Irish state, post-independence the Irish state relied on the financial, social, and moral support, primarily of the Roman Catholic Church (RCC) in order to maintain its schools, hospitals, and social institutions. Essentially, the new Irish state was built on Catholic resources and doctrine, and as a result many of its emerging social and political structures were influenced by religious dogma and an outward collective social performance of respectability. For almost a century, the RCC was the gatekeeper and arbiter of what constitutes respectability in Ireland and the outward performance of this respectability often came at a large cost

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<sup>2</sup> Hogan (2019: 10).

<sup>3</sup> In the 1990s the culture of silence that pervaded Church-run institutions and structures was starting to wane. The emergence of the Clerical Child Sex Abuse scandal in 1995 via the arrest of Fr. Brendan Smyth as well as the public reaction to several public scandals that emerged as a result of the Church's interference in society such as Ann Lovett's death in Granard, Co. Longford and the Kerry Babies Scandal in 1984 contributed to this dynamic.

to those for whom access to many forms of health care is not yet equitable: women, children, people living rurally, Traveller/Mincéir, disabled, income-restricted, and minority-ethnic people (Carnegie and Roth, 2019). Pregnancy and the conditions of pregnancy in twentieth century Ireland are topics that challenge respectability. Even within the marriage unit, Catholic teachings asserted that sex was for reproductive purposes only and not for pleasure. Virginity was godly; sexual activity was sinful. Following a birth, a married woman had to be ‘churched;’ some argue this religious ritual is in thanks for the gift of a newborn, others tell it is to make women feel ‘unclean’ (Hogan, 2019; Opie and Tatem, 1996). To be a woman or a child pregnant outside of marriage, no matter the circumstance, was a major ‘scandal in the parish,’ which had to be dealt with. This led to a culture of hiding crisis pregnancies by women and their families, who were often pressured to send them into the many Church and state-run institutions for unmarried mothers or ‘fallen women.’ (Haughton et al., 2021; Smith, 2008; Tuam Oral History Project, NUI Galway, 2019–2023). Following the introduction of the 8th Amendment in 1983, the practice of Irish women travelling to Britain for abortion services and to escape this nexus of Irish-church state control became further cemented (Murray and Grimes, 2021; Rossiter, 2009)<sup>4</sup>.

Even when the sense of shame, as encapsulated in disapproval, has been rejected by those who have sought abortion, the weight of judgement from others operates to silence and separate them and must be overcome with effort, as Flynn’s (2015) article about her abortion demonstrates:

I wasn’t ashamed. I made the most responsible choice I could have made at that time and in those circumstances. But I was shamed into silence. (...) I became a criminal. Guilty. Shameful. A killer.

Tomkins’ (1962) approach to shame emphasises the estrangement of those who feel the affect, which he places in the polarity *shame-interest*. He describes shame as a ‘barrier to further exploration which partially reduces interest’ and a ‘high toxicity’ affect, arousing anxiety and distress, as well as isolating those who experience it in ‘an interruption and a further impediment to communication’ (Tomkins, 1962, I and II: 123; 1995: 133, 137). Shame moves one to lower the eyes, to sever contact, to turn away from the view of others:

One wishes to look at or commune with another person but suddenly cannot because he is strange, or one expected him to be familiar but he suddenly appears unfamiliar (Tomkins, 1995: 135).

Sedgwick (2003: 36) identifies the ‘disruptive moment’ of shame as it separates us, interrupting ‘a circuit of identity-constituting identificatory communication’ between those with whom we seek to identify and ourselves at a deep level. Though both approach shame with an emphasis on response to strangeness rather than disapproval, the distancing effect from one’s identity as a member of a family or community results in the same isolation and separation.

This shame became challenged by changes in the late twentieth century, of which feminism was a leading discourse and methodology for action. The Irish Women’s Movement, which gained momentum during the 1970s, relied on second-wave feminist methodologies, such as direct action and consciousness-raising, as a means to campaign for and promote equality for Irish women (Connolly, 2003; Connolly and O’Toole, 2005). These activities occurred at a moment in time when the ties between Church and state were waning and there was an opportunity to re-cast Irish women as equal citizens in the workplace, at home, and in terms of bodily autonomy. Unlike the second-wave feminist movements in Britain and the United States, second-wave feminism across the island of Ireland evolved from and through working-class women’s groups, focusing on a culture of resistance and support for vulnerable and marginalised women across the island of Ireland regarding a variety of domestic, workplace, sexual and reproductive issues. The Irish Women’s Movement challenged the gendered state structures that insist that women in Ireland are inherently considered to belong to the domestic space. Ireland’s current constitution (ratified in 1937) reflects this dynamic in Article 41.2 where women are established as having their place in the home or domestic sphere<sup>5</sup>. The article also uses the terms *woman* and *mother* interchangeably, linking them in this domestic space with children. The rise of an active, and broadly successful, women’s movement in the 1970s led significant conservative backlash in the 1980s resulting in the introduction of the 8th Amendment of the Irish Constitution.

Turning towards affect to consider the images that were so very present in the public space raises awareness of the power of embodied subjectivity in the debate around inclusion and exclusion in decision-making about reproductive choice. As Pedwell and Whitehead argue, feminist affective analysis is concerned with ‘how power

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<sup>4</sup> This article refers to Britain rather than the United Kingdom. Unlike Britain, Northern Ireland’s restrictions on abortion access were retained until October 2019. Women seeking abortion access outside of Ireland had to travel to Britain to receive healthcare.

<sup>5</sup> Article 41.2.: ‘In particular, the State recognises that by her life within the home, woman gives to the State a support without which the common good cannot be achieved. The State shall, therefore, endeavour to ensure that mothers shall not be obliged by economic necessity to engage in labour to the neglect of their duties in the home’ (The Irish Statute Book).

circulates through feeling and how politically salient ways of being and knowing are produced through affective relations and discourses' (Pedwell and Whitehead, 2012: 116). Affective resonances *move bodies*; they cause action, influencing and influenced by the 'conditions under which bodies are enculturated, psychologised, given identity, historical location, and agency' (Grosz, 2004: 2). Affect 'sticks' to bodies, as Ahmed (2004: 29) asserts, and 'sustains or preserves the connection between ideas, values and objects' with women's reproductive bodies being objects to which the affective resonances of shame and stigma stick. Affective resonances are woven into the legal, social, and religious narratives that insist Irish women act respectably and responsibly, maintaining the secrecy surrounding acts that contradict this.

Ahmed (2005) contends that the appearance of the respectable, responsible woman represents the nation's idea of itself. Therefore, to belong to the nation, such individual differences as the reason to have an abortion must be hidden. The woman who had a 'bad' abortion:

(...) must give up her concrete difference in the interests of the national ideal, in which freedom takes the form of a particular kind of body (a particularity that is given value insofar as it is represented as abstract-able or detach-able from particular bodies (Ahmed, 2005: 98).

In short, the public sphere in Ireland in 2018 still demarcated the limits for women's agency. The experience and strategies of the campaign—the posters, the social media content, the soundbites, the testimonies, the medical expertise, the debates, the *performativity* of it all—reminds society that while the rules regarding female autonomy may have changed they have not disappeared. The space of women's embodied liberty remains framed by the borders of historical, patriarchal, religious, conservative hegemony who may never experience a crisis pregnancy nor the associated social gaze of contempt. Thus, the campaigning by both pro- and anti-abortion activists performed another function alongside their overt political aims. They reasserted which narratives can be welcomed, supported, tolerated, and indeed, which narratives should know their place; out of the collective community public space, ethically suspect and therefore non-starters as representative of respectable female experience and respectable nationhood. It is this discomfiting space between the socially-acceptable abortions and the remaining contexts of abortion that sheds harsh light on how and why the role of 'respectability' and 'responsibility' still informs the discourse and practice of community-building in contemporary Ireland. This article therefore must acknowledge the decades of activism that dealt with crisis pregnancies, beginning its analysis before the Repeal moment and concluding with the rejuvenating reversal of emigration patterns to cause political change.

## **'TRUST WOMEN': THE BATTLE FOR MIDDLE IRELAND**

This article acknowledges the significant work that occurred as part of the pro-choice Referendum campaign to prepare the ground for the eventual confident victory, much of which is explored elsewhere in this edition<sup>6</sup>. Part of this campaign required creating conditions for change. Creating these conditions can include major knowledge-based efforts, such as easy access to empirical data and engagement from relevant expertise, as well as harnessing methods of persuasion, such as being able to identify and empathise with another's pain. Irish Labour Party Senator and long-time pro-choice advocate Ivana Bacik reflects on these complexities. Bacik (in Bacik and Haughton, 2021) maintains:

It's not as clear cut as the referendum marks the shift in public mood. Referendum campaigns themselves change people's views. Most people don't have a clear view in advance. There's the 20% rule—20% will never vote for you, and vice versa, but there's an enormous majority in the middle—and it's those people that will be affected by the campaign.

To sway that middle-ground, campaigns centralise stories that the perceived majority can identify with. In the case of the Referendum to Repeal the 8th, Terminations for Medical Reasons (TFMR), a collective of parents who experienced diagnoses of fatal foetal conditions, became one constituency of highly-charged narratives that the pro-choice campaign identified as convincing to the wider populace. These accounts of tragic diagnoses highlight, with incredible dignity and generosity, the inhumane and cruel treatment those women and couples experienced as a result of Ireland's abortion laws. However, there are women and couples who did not feel welcome to share their experiences during this campaign. Some felt nervous that they would be seen as a 'bad' abortion, i.e., where the foetus is physically viable, but the pregnancy is not viable for the woman. This is demonstrated by the centrality of an argument in the No campaign that repealing the 8th would allow 'abortion on demand' and agreement by some in their opposition that they also found full agency too radical to support. As Browne and Nash (2020: 62) state:

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<sup>6</sup> All of this article's authors were publicly pro-choice during the Repeal campaign.

‘On demand’ implies that abortion is an unnecessary, consumptive choice. It is on demand, as desired, without checks or regulation, free and accessible to all. Behind the ‘on demand’, good/bad abortion binary is the invisible specter of the ‘bad’ woman (and, in heteroactivist rhetoric, it is not a pregnant person; it is a heterosexual woman) who uses abortion as contraception. This woman has hetero sex and is not ‘careful’ or not careful enough.

As a counterexample to abortion ‘on demand’, the Yes campaign repeatedly raised the ‘good’ abortion as an act only allowable due to tragic circumstances. Cullen and Korolczuk’s (2019) cross-cultural study of the referendum demonstrates this deliberate rhetorical strategy operating to invoke tragedy and de-emphasise radical or intersectional frameworks in order to destigmatise abortion, and Carnegie and Roth’s (2019) analysis similarly notes the campaign’s focus on ‘hard cases’. This evident anxiety concerning *which* women feel welcome and supported by established political organisations to speak out regarding their embodied experiences in public space is telling of the deep pressure that remains inscribed on those public spaces. Those public spaces, thus, are affective and performative in social, personal, and material ways.

The performance of respectability is echoed throughout the 2018 campaign to repeal or retain the 8th Amendment in order to sway the enormous ‘majority in the middle.’ Extremes were only permitted in certain circumstances and the Together for Yes campaign focused on the ‘hard cases’; those mainly married, heterosexual, white Irish women whose pregnancies would not be viable outside of the womb. MERJ (Migrants and Ethnic Minorities for Reproductive Justice) criticised the exclusion of migrant voices throughout the campaign. Writing on the issue for *Village*, Candon (2020) condemns the ‘homogenised, top down ‘Together for Yes’ campaign’ as one focused on ‘moralised debates in mainstream media led by politicians and public figures in place of grassroots campaigners’. Candon’s (2020) criticisms reflect growing discomfort in activist circles that the mainstream campaign was at odds with what activists had been focusing on for decades.

The anti-abortion campaign consistently presented concerns that women are not responsible enough to make decisions regarding their personal bodily autonomy and pregnancies, as demonstrated elsewhere in this article and this issue in evaluating campaign ephemera demanding resistance to ‘on demand’ abortions. Similarly, the ‘love both’ message plastered on stickers and posters throughout the campaign represents a love that entails protecting women from themselves and their own choices. This redeployment of an argument equalising the personhood of a foetus and an adult nevertheless positions the adult woman as both vulnerable and irresponsible, liable to make choices dangerous to herself and to the propagation of Irish values. The movement towards liberalising Ireland’s restrictive abortion law saw significant pushback from the Catholic Church in Ireland and its adherents. The language and imagery surrounding this was extreme, designed to incite hysteria and anger. From the tragic death of Savita Halappanavar in 2014 and throughout the Repeal campaign, the narrative from the anti-abortion community was consistent: women are not responsible and cannot be trusted. Former Master of Ireland’s National Maternity Hospital and consultant obstetrician Boylan (2019: 106) recalls that:

Some anti-abortion members of the Oireachtas continued to drive a narrative that women would manipulate the provision for termination where it was allowed in cases of a risk of suicide and that this would result in a huge increase in terminations. The implication was that women could not be trusted.

Thus, the social pressure generated by pro-choice campaigns included the focus on foregrounding women deemed ‘trustworthy’: such problematic language is deeply resonant, if not interchangeable with, ‘respectable’ and ‘responsible’ in the Irish cultural context.

Smyth (1995: 35) acknowledges that ‘[v]irtually all of [Ireland’s recent] crises and controversies have crystallized, and been concretized, around an individual case’. Similarly, historian Ferriter (2010: 544) notes that:

By the early twenty-first century, the boundaries of what is and is not acceptable to publish in the realm of Irish sexuality have changed beyond recognition. There is a high premium placed on the value of personal testimony, a dominance of the memoir as a literary genre, a confessional culture and the personalisation of debate, which have all combined to expose the myth of exceptional Irish purity.

Thus, performativity of selfhood, and the empathetic affective energy this fertilises, stages the conditions for a heightened and persuasive campaign. The road to repealing the 8th Amendment was influenced by this dynamic and Ireland’s restrictive abortion regime was placed to the forefront of public consciousness via the tragic death of Savita Halappanavar. Throughout the state’s recent history, women (and children’s) personal stories have been the catalysts for major changes in Irish society<sup>7</sup>. The price for overturning a culture of silence and shame seems to

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<sup>7</sup> Such as: Ann Lovett, Joanne Hayes, the X Case, Savita Halappanavar, Vicky Phelan through the CervicalCheck scandal which emerged in Ireland April 2018, and the hundreds of anonymous contributors to the Ryan Report and McAleese Reports.

be the exposure of embedded trauma in the public sphere. Throughout the campaign, a number of high-profile women came forward and shared their experience of a crisis pregnancy in Ireland. Boylan (2019: 209) notes that:

Though these women were somewhat used to being in the public eye, revealing such private and painful experiences was remarkably generous; indeed, their high profiles left them exposed to receiving negative reactions, so their openness was particularly brave.

However, there is something problematic about *requiring* this performance of personal trauma in order to make or engage in social change. Smyth (1995: 35) argues that:

It is highly significant that it is invariably women who perform penance imposed through this process of public 'confession'. Women are the source of sin (and change), so women must be made to pay the sacrificial price.

As the referendum campaign gathered momentum, campaigners on both the Yes and No sides began messaging through imagery, posters, social media, leaflets, and video. Here, a familiar pattern began to emerge: the representation and impact of women's personal stories, heightened through their embodied images in addition to their narrative accounts. The Together for Yes campaign relied on the re-telling of women's personal stories and the foregrounding of medical evidence, specifically focused on the 'hard cases'. Contrastingly, the No campaign often removed the woman from the narrative altogether. Boylan (2019: 223) notes that:

A repugnant feature of the No campaign's often graphic posters had been the absence of women from them. They were merely silhouettes or headless torsos.

In short, both campaigns relied on the performative framing of narrative and imagery to produce significant affect throughout the public sphere to win the perceived middle-ground vote. Indeed, how significant is storytelling to Irish society?

## STORYTELLING: HUMANITY, IDENTITY, AND COMMUNITY

'For what are we Maureen, if we're not our stories?' Dinny proclaims in Enda Walsh's darkly comic play *The Walworth Farce* (Walsh, 2006: 82). The setting is a dysfunctional Irish family living in London, isolated from communities, family and friends, exiled from their home in native Cork following a violent murder. They cannot process their trauma and so re-enact it daily as a method of survival, literal and autobiographical. Reiterating the horrific event again and again, the only logic or purpose these desperate characters can discern is the protection, validation, and reassurance of identity that occurs through the act of storytelling, even one as gruesome as theirs. On this power of storytelling, Irish philosopher Kearney (2002: 3) queries the fundamental connection between narrative and the condition of being human. In *On Stories*, he deftly surmises:

Telling stories is as basic to human beings as eating. More so, in fact, for while food makes us live, stories are what make our lives worth living. They are what make our condition *human*.

These examples speak to the essential connection embedded in one's sense of self as producing meaning through the process of articulation. Indeed, this is what makes the landmark publication *The Irish Journey: Women's Stories of Abortion* so cutting. As the first account of Irish abortion testimonies that emerged as a collection, published as recently as 2000, it sought to fill this major gap in abortion literature. These testimonies are bitterly potent for so many women and families, not only because abortion is such a widespread experience, but because the experience of womanhood in Ireland is marked more by secrecy than anything else.

Pregnancy, abortion, miscarriage, infertility, IVF, surrogacy, sex, sexual desire, sexual abuse, sexual assault, shame, institutionalisation, medical scandals, cover-ups, denials, erasures, and absences; this is not the Irish theatrical or literary canon one usually encounters, but it is an account of widespread Irish experience and one that finds increasing space in Irish performance cultures. This historical secrecy is not necessarily imperceptible, however, as the markings of suppression and trauma leave a trace and these traces interweave to form a fabric. This fabric becomes a new model for community-formation; forged in difficulty, and often survived through exile or escape. These traumas mark the beginning of those stories, not the end. We are writing this article because of those stories and those communities, and our journeys are lighter because of the paths they trod. Womanhood in Ireland becomes constituted and reconstituted through the shared space of secrecy, the threat of shame, and the surprise of solidarity in one's darkest moments. This is the gentle shimmer of light that opens this unique collection *The Irish Journey*, where a woman, 'Jenny,' arrives home following an abortion in England and joins a women's support group. She needs to talk about her experience but cannot tell people due to the prevailing culture of fear,



shame, and secrecy surrounding abortion. She goes to Easons (one of Ireland's largest chain of bookstores) to search for a book on it, displaying the innate human understanding that to identify one's story with someone else's story reasserts a sense of humanity and society. In Easons she looks for assistance and then:

three things struck her—that she couldn't ask for a book on abortion because then the assistant would *know*, that even if she found it she couldn't pay for it because the cashier would *know*, (to her own amazement Jenny contemplated stealing the book if she found it—but imagine being caught *stealing* a book on abortion, then everyone would *know*). The third thing that Jenny realised was that there was no book available at all (Ruane, 2000: 4).

The telling of this story in the women's support group led to much laughter. This group was a constituency of women marked by their secrecy. They became unified as a result of their isolating experiences, yet established their own community amidst a history and a present that has denied them healthcare, compassion and respect.

These women did not choose to keep their experiences of abortion secret without overwhelming cause. The consequences for engaging in pro-choice *conversations* throughout most of the twentieth century in Ireland were legally and socially severe; admitting to obtaining an abortion would likely unleash a wave of public and political anger. When Bacik was voted in as Students' Union President at Trinity College Dublin in 1989, the SU was already providing support services for women in need of abortion, though publications on abortion were censored at that time. She recounts that phone calls looking for assistance were daily and that the women were desperate (Bacik and Haughton, 2021). Bacik and her fellow officers received warning letters from the Society for the Protection of the Unborn Child (SPUC), and were then taken to court by the SPUC for providing information on abortion (Bacik, 2019). In addition, they received hate-mail and various threats, were spat at on the street, threatened with bankruptcy and could not mobilise wider support from sympathetic organisations or individuals, such as women's organisations or medics, as they too would face bankruptcy if associated with pro-choice support networks (Bacik and Haughton, 2021). Mary Robinson, the first female President of Ireland (1990-1997) and former UN High Commissioner for Human Rights (1997-2002) stepped in to represent the SU Officers as they approached their court date, warning them before trial to pack a bag as they would likely go to prison (Bacik and Haughton, 2021). In the end, they did not go to prison, but the personal and professional cost to them for providing information regarding how to access abortion services was extreme. The treatment of these students by the legal system, by the anti-abortion movement and by the public mood was well documented in the media of the time. It served to further the impact and affect of Ireland's punitive culture regarding abortion. If that can happen to the President of Trinity's SU for providing information, one might wonder: what would happen to me?

Bacik completed her undergraduate studies at Trinity and then relocated to the UK for postgraduate study, finding an active network of abortion support services for Irish women in London. Significantly, she also found a network of support to rebuild her confidence following the brutal and aggressive experience of pro-choice activism in Ireland. It is not surprising that so many Irish women looked to the UK not only for abortion services, but to become part of communities with less legal and moral policing on women's bodies and lives. Ann Rossiter's *Ireland's Hidden Diaspora* marks another watershed moment in Ireland's narrative journey of abortion. Many of these women came together under the banner of the Irish Women's Abortion Support Group (IWASG) and the Irish Abortion Solidarity Campaign (IASC), receiving some practical assistance from British health and welfare organisations, as well as support from the Spanish Women's Abortion Support Group (SWASG), based in London. Published in 2009, Rossiter (2009: 25) notes that 'this is the first time that many supporters and campaigners speak out without using pseudonyms'. The struggle for female bodily autonomy has confronted further challenges in Northern Ireland. While the Good Friday Agreement brought a significant period of peace to the male-dominated conflict known as 'The Troubles,' the peace agreement emerged partly from established political consensus to sacrifice women's autonomy. Goretta Horgan of Alliance for Choice in Northern Ireland summarises the cost of 'peace' for women:

In Northern Ireland we are now told that as a result of the Peace Agreement legal and political responsibility for abortion is to pass from Westminster to the Northern Irish parliament—the Assembly—whose seat is at Stormont. This means putting women's rights in the hands of the evangelical Taliban (Horgan in Rossiter, 2009: 20).

Following decades of pro and anti-abortion campaigning, abortion in Northern Ireland was decriminalised in 2019, with a new framework for lawful abortion services coming into effect in 2020 as a result of intervention by the British government (Amnesty UK, 2021; McCormack, 2021). However, these services have experienced ongoing political challenges and disruption since their implementation (McCormack, 2021). In July 2021, Westminster took the unprecedented step of directing Stormont's Department of Health to set up full abortion services in Northern Ireland by no later than March 2022 (McCormack, 2021).



**Figure 1.** Speaking of IMELDA performance at GPO, Dublin. Photograph by Georgina Willis. Used with permission

The obsessive focus on women's bodies by hegemonic forces suppressed women's autonomy in everyday contexts, but also nurtured solidarity in many other ways. Rossiter's (2009) arresting study maps the creative and vital ways women mobilised to support each other as they made plans to travel to the UK for abortions: the booking of tickets, meeting someone at an airport or ferry, navigating the underground rail system in London, finding the clinic, offering accommodation, and, of priceless value, providing understanding, company and compassion. We may never know all the names of these groundbreaking women as they will continue to protect promises of privacy, but we can appreciate and celebrate their immense contribution to Irish women's lives as new research on abortion emerges in more open cultural climates. Some of these histories are captured by the London-based direct-action feminist group 'Speaking of IMELDA,'<sup>8</sup> standing for 'Ireland Making England the Legal Destination for Abortion', as well as referencing the use of 'Imelda' as a code word for abortion used by IWASG. They pay homage to the work of IWASG through their own name, as well as wearing red costumes during their performances, as IWASG members often wore red to be identifiable to Irish women travelling to the UK.

The group's performances directly and explicitly confront notions of respectability circulated throughout twentieth-century Ireland. Performances include 'knicker-bombing' former Taoiseach Enda Kenny while he attended a fundraising dinner in London in 2014, chaining themselves to Dublin's iconic General Post Office building during the state-broadcast 'Road to the Rising' centenary commemoration in 2015 (Figure 1), and visiting England's Secretary of State for Health, Jeremy Hunt, in a Sainsbury's supermarket in Surrey during his 'Advice Surgery' for constituents in 2014. The IMELDA's performances have occurred throughout Ireland, Northern Ireland and Britain, extend to public talks and keynote lectures, and academic publications. From their emergence in 2013, they have ensured that Irish women's rights to abortion, bodily autonomy, healthcare, and compassion have been centralised in moments of major global attention on Irish politics, such as St Patrick's Day Parades and 1916 Centenary events. They confronted politicians directly, as well as engaging the wider public with their humorous yet politically-pointed performances. They represent the continued development of Irish women's solidarity in the UK, refusing to tolerate antiquated laws that infringe on human rights. They took public space as their stage, and Ireland as their story. Finally, they can 'hang their knickers up' (Walsh, 2020).

## **WOMEN'S PLACE, WOMEN'S MOBILITY: THE RISE OF REVERSE MIGRATION AND SOCIAL MEDIA**

It is estimated that more than 170,000 women and pregnant people made the journey between Ireland and Britain since 1970, with an additional 1,000 per year ordering abortion pills and a few choosing other states in which to receive services (Bardon, 2018; Sheldon, 2016: 90-101). Even when seeking abortion abroad was decriminalised, the myth of an abortion-free Ireland required secrecy and silence from women and pregnant people

<sup>8</sup> For a comprehensive account of the group's history and activities, see <https://www.speakingofimelda.org> (Accessed 7 April 2020).

who required such health care. Journeys for abortion to the UK and further afield, with their attendant stigma and secrecy, constitute an onerous, painful physical and affective separation from support networks and social circles. They also demonstrate the intertwined affective and political impact of the respectability and responsibility narratives and the reality of Dowler and Sharp's (2001: 168) statement:

Women's bodies are inherently caught up in international relations, but often at mundane or everyday levels and so are not written into the texts of political discourse. However, as Enloe (1989, 1993) has long insisted, this does not mean that women have no role in the recreation of international orders, simply that their agency is hidden from the traditional gaze of geopolitics.

With the advent of social media, the loneliness and shame many women experienced while seeking abortion abroad was rendered visible to previously private support networks and social circles. The 'hidden agency' of Irish emigrants for reproductive choice and their allies became very visible in the campaign to repeal the 8th Amendment when the hashtag #HomeToVote demonstrated their intent to travel back to Ireland, sometimes at great cost, in order to cast their ballots<sup>9</sup>. The staging and symbols of these images constitute a demand for visibility and participation in political power from those seeking reproductive choice, made with the help of a widespread network of emotional and political supporters.

Staged marches around the world, publicised through Twitter, Instagram, and Facebook, featured women pulling suitcases through city centres and past governmental buildings, thus re-performing these journeys as a claiming of the public eye and public space (Flynn, 2015; Russell, 2014). Marchers moved silently in single file or in lines of two, creating images that represent the duration and loneliness of travel and the repetition of the journey by so many. One such photo by Alastair Moore became a key representation of travel, reproduced in many articles and social media posts. The image of silent women walking with suitcases through public spaces articulates the desire to be seen as a whole woman, including one's choice to have an abortion, and the silencing and distancing enacted by society on those who make that desire known. Many social media posts replicating the image included no text or only a few words, using this image to declare their support for the marchers or announcing their inclusion into the ranks of women represented. Reposts of the image with comments such as 'this was me' and 'I took the boat' borrowed the affective power of the image to declare the complexity of their own identities. Until the time of writing the image also remains the focal point of the London-Irish ARC webpage at LondonIrishARC.com, signifying the group's commitment to be a voice for the silent travellers (Zatat, 2018). Similarly, the emotional accounts of abortion experiences shared anonymously through the Facebook page InHerShoes, curated by Erin Darcy, were often accompanied by images of shoes that created a narrative of travel while emphasising the risks of visibility for the storyteller (Barr, 2019). Such images and narratives expanding virally through online networks became central to the pro-choice campaign, again emphasising the importance of affective messaging in developing a community through which to claim membership in the larger political entity.

In Elspeth Probyn's *Writing Shame* she calls shame 'an exposure of the intimacies of selves in public' in a phrase that resonates strongly with the layers of shame around travel to procure an abortion (Probyn, 2009: 72). First, pregnancy itself is the result of an intimate encounter. Second, the need to end a pregnancy is portrayed as the failure of a woman's responsibility. Third, each entry into public spaces such as ferries and airports on the journey risks exposure of these intimacies, subjecting one's private life to the judgement of others. Thus, the politics of affect and affective response are key to the analysis of images on social media, as the spread of such images once published is not in the control of the subject. Images that do include a person, such as the suitcase marchers, represent and *perform* the figure forced by law to travel without requiring the subject claim the experience herself. Such images begin to establish a 'beachhead,' as Tomkins (1995: 175) puts it, against the sticky affect of shame by reminding viewers that the embodied experience behind the image is complex and human.

Images posted with the hashtag #HomeToVote, such as this photograph by Kehoe (2018), represent an extension of this beachhead by performing a reversed arc of travel both affectively and physically to that of the emigrant (Figure 2). In such images the travel represented is a performance of citizenship and a claim to political power. Shared, it is also a collective performance that establishes a social circle and community, deliberately reversing the isolating impact of shame. On 8 February 2018 the London-Irish ARC (Abortion Rights Campaign) published an online appeal to 'the Irish abroad' to post images of themselves, the areas in which they reside and their passports, and to signal their journey using the hashtag<sup>10</sup>. Along with the blog post they published the website

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<sup>9</sup> Under Section 11(3) of the Electoral Act 1992, Irish citizens abroad retain full voting rights for only eighteen months and only if they intend to return to Ireland (Dáil Éireann, 1992). Many supporters of the Repeal campaign whose voting rights had expired used an associated hashtag to offer emotional and financial support to those who could legally return home to vote: #BeMyYes, discussed later in this article ('Women Unable to Vote...', 2018).

<sup>10</sup> #HOMETOVOTE: A REFERENDUM IS ON THE WAY AND IRELAND NEEDS YOU'. 2018. Blog. London Irish ARC. 8 February 2018.



**Figure 2.** People waiting to board a flight from Brussels to Dublin in order to vote. Photograph by Paula Kehoe. Used with permission

hometovote.com which features a video representing multiple stories of travel to Ireland demonstrating distance through iconic skylines, effort through clips of weary travellers in empty airport lounges, and community through the welcoming hugs of other Repeal voters (London-Irish ARC, 2018).

Similarly, Kehoe's (2018) photo taken of the pro-choice passengers on a single flight from Brussels to Dublin demonstrates the creation of a new social group and identity based on activism as a performance of patriotism. The physical proximity of the group, along with their smiles and expressions of pride, indicate membership in this community, as do the multiple 'Repeal' and 'Together for Yes' jumpers, shirts and badges: the pro-choice costume. The pile of baggage abandoned for the photograph indicates a level of trust in this community. The prominent inclusion of the Irish flag is a demonstration of inclusion in the civic body of Ireland as a collective activist body with political power rather than silenced, separated, shameful bodies.

To analyse the images of #HomeToVoters as the performance of citizenship is to participate in the ongoing reconfiguration of citizenship beyond the physical boundaries of the state. Legal scholar Barry (2006: 11-59) uses the term 'external citizenship' to describe this reconfiguration and examines the decoupling of residence and citizenship in both legal and experiential terms. Barry (2006: 18) notes that:

Citizenship, so long a symbol of rootedness, exclusivity and permanence—has been discovered to be portable, exchangeable, and increasingly multiple.

Barry (2006) supports Linda Bosniak's argument that the legal status 'citizenship' is only one dimension of the concept, with rights, political activity and 'a form of collective identity and sentiment' being equally as important (Bosniak in Barry, 2006: 20)<sup>11</sup>. The 'practiced identity' of the external citizen anchors their understanding of themselves as 'part of a larger group defined by a shared history, genealogy, territory, or political-ideological vision' (2006: 23). This practice is the participation of the emigrant in civil society not simply by voting but by developing and maintaining personal bonds and networks of relationship that constitute a community.

The affective content of such images can assist in building this community of support. Social communication theorists Kivran-Swaine and Naaman (2011: 382) find a positive relationship between expression of emotion in posts and the number of followers a Twitter user has, arguing that 'the shared emotional experiences create more engaging content'. They also note that it can be costly to share emotional experiences in such a semi-public forum, and so the affective content may be more highly valued as a 'gift' to one's followers. The direct exchange of these 'gifts' further cements a network and support system and makes it more likely that action in the non-digital world will follow. The development of these networks supports users' demand to be recognised and included as part of a community, and therefore the use of social media to display journeys to vote can be read as a demand for active membership in the community of Irish citizens, a demand to be seen and heard.

While it is impossible to verify that those who used the #HomeToVote hashtag actually voted, the Irish Abroad Unit estimates the number of Irish citizens' resident outside the state at 3.601 million (Department of Foreign Affairs and Trade, Ireland, 2017: 6). The London Irish ARC estimates based on data from the Central Statistics Office that more than 40,000 emigrants were eligible to vote in the 2018 referendum (Kenny, 2018). Though media reports included examples of #HomeToVoters announcing their intention to vote 'No', a review of the hashtag

<sup>11</sup> These categorisations reflect the contested nature of the term 'citizenship'. For more, see Bosniak's (2000) survey of citizenship discourses in *Citizenship Denationalized (The State of Citizenship Symposium)*, *Indiana Journal of Global Legal Studies*, 7(2): 447-509.





**Figure 3.** Facebook post featuring Together for Yes campaigners and #BeMyYes. Image by Sarah Hoover. Used with permission

trends between February and May of 2018 shows a sizable majority of #HomeToVote posts also include the hashtag #Repealthe8th, #Together4Yes, or similar ‘Yes’ slogans<sup>12</sup>. This public performance establishes the #HomeToVoters as within the social circles and communities of Ireland and represents a performance of citizenship that incorporates the affective and performative roles of social media in the development of such communities.

Leaving aside its influence in increasing the percentage of eligible voters that use their vote, however, the #HomeToVote hashtag revealed the ways that Irish pro-choice supporters were publicly performing their Irish identity by claiming their right to influence the referendum. Due to the durational restriction on voting rights the #HomeToVoters are often students, interns, and those spending time abroad as a cultural exploration. However, many emigrants leave Ireland to take advantage of economic opportunities or to further other relationships, potentially unsure as to whether they will return though still retaining strong ties with their resident community in Ireland. Others are affected by legislation in the Republic of Ireland, such as those who live in the North or people who are ordinarily resident or seeking asylum. For them, #BeMyYes gave an opportunity to simultaneously support better access to abortion and highlight the divisions between those with political power and those without.

As Honohan (2011: 557) notes, a strong argument for Irish emigrant voting rights ‘rests on the fact that most emigrants leave out of economic need rather than freely chosen career opportunities or other goals’ and refusing their voting rights adds insult to injury. For Honohan (2011: 558), the high rates at which emigrants return to Ireland after years of retaining ties there does ‘provide evidence of a genuine connection among a significant proportion of emigrants’. This connection is anecdotally evidenced by the numbers of emigrants who, not eligible to vote themselves, provided financial and logistical support to #HomeToVoters. The twitter account @abroadforyes and related Facebook group Abroad for Yes established themselves as linking agencies between these supporters and those in need of assistance with tickets, accommodation, and travel from the airport to a voting station. The Facebook group alone had significant impact, garnering over six thousand members. #BeMyYes became a means by which those who could not vote in the referendum still influenced its outcome by emphasising their dependence on those who could (Baker and Belam, 2018). Though many people posted their individual pleas for a ‘Yes’ vote, #BeMyYes events that culminated in photos (Figure 3) were held around the world so that group images of attendees, Irish flags, signs with hashtags and other messages could be spread through social media (‘Women Unable to Vote ...’, 2018).

<sup>12</sup> A few examples include *BBC News*, The people travelling #HomeToVote, 26 May 2018, <https://www.bbc.com/news/world-europe-44223949>; *Independent.ie*, ‘I would walk home from Timbuktu to vote’, 21 May 2018, <https://www.independent.ie/irish-news/abortion-referendum/i-would-walk-home-from-timbuktu-to-vote-meet-the-young-people-who-are-travelling-hometovote-36920920.html>; *Irish Times* Coming #HomeToVote, 24 May 2018, <https://www.irishtimes.com/life-and-style/abroad/coming-hometovote-top-tweets-from-emigrants-making-epic-journeys-back-1.3507119>; *ABC.net.au*, Abortion referendum: #hometovote movement brings thousands back to Ireland, 25 May 2018, <https://www.abc.net.au/news/2018-05-26/abortion-vote-home-to-vote-brings-thousands-back-to-ireland/9803068>; and *NPR’s All Things Considered*, Thousands of Irish expats return home to vote in abortion referendum, 25 May 2018 (transcript at <https://www.npr.org/2018/05/25/614518518/thousands-of-irish-expats-return-home-to-vote-in-abortion-referendum>).





**Figure 4.** Screenshot of YouTube video 'Irish Comedians Abroad: Be Our Yes'. Posted by Andrew Nolan, public access

Posts under the #BeMyYes umbrella often visually reference the marches, protests and other gatherings in a demonstration of solidarity, inclusion in a social circle through shared social values, and a stake in the larger community of Irish citizenship. The post above, made by one of this article's authors, references her relationship to the community as a means of claiming the right to influence laws that govern that community. This post is tagged with #BeMyYes in the comments. Similarly, other posts come from those who have *lost* the legal right to influence laws governing a community in which they still play a part. Comedians Aisling Bea and Sharon Hogan (**Figure 4**) released a video on YouTube with themselves and others calling for a 'Yes' vote using the hashtag #BeMyYes (Irish Comedians Abroad: *Be Our Yes*, 2018). It is telling that a section of the video satirises the narrative that accuses emigrants of abandoning their society. Bea announces, 'We are the Judases who left Ireland and can no longer vote.' Gránne Maguire declares 'I sold out my country for the queen's shilling,' before Bea takes a more serious tone to remind viewers: 'We no longer have a voice in our own beloved country' (Irish Comedians Abroad: *Be Our Yes*, 2018: 1:56-2:06). This video satirically challenges the definition of the respectable Irish woman, the Irish woman with a right to intervene in Irish policy and law, as one who does not leave Ireland.

## CONCLUSION

This article finds that the problematic relationship between nation and female bodily autonomy in Ireland is weakening, but not yet undone. The idealised, respectable Irish woman—often presented publically as white, middle-class, married, Anglophone, and heterosexual—has borne the responsibility for the moral construction of the Irish society and nation in her body for generations, according to value-systems which are discriminatory at best, and often violent in their full impact and consequence. This performance of Irish woman-ness in both public and private spheres was visibly challenged during the Referendum campaign, though the homogeneity of these challenges demonstrates that the narratives of respectability remain influential. They place significant pressure on women and pregnant people in Ireland to maintain a specific image in order to remain a vital part of the community. However, the complexity of Irish women's experiences escapes these definitions and find creative ways to resist these pressures; by boldly claiming the public eye and the public space, such as with Speaking of IMELDA, and by repeating and retaining the symbols of Irishness and Irish citizenship through localised and online performances made collective through hashtags such as #HomeToVote and #BeMyYes. This article argues that the widening window of visibility available for Irish woman-ness requires continued attention in order to incorporate the experiences and bodies that actually constitute Irish society, and that increasing the awareness of such projects is an opportunity provided by the Referendum and continuing today.

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## ‘Our Darkest Hour’: Women and Structural Violence under Ireland’s 8th Amendment

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### ABSTRACT

This article analyses women’s stories of violence in the context of the 8th Amendment. Our analysis of 773 anonymous women’s narratives from *In Her Shoes* reveals instances of rape and partner violence, health disparities, forced travel, barriers to care, and withholding of information by healthcare providers. Posts described the impact of structural violence on women’s medical care and lived realities. While scholars have produced essential analyses of structural violence in twentieth-century Ireland, assessing how harm has impacted women and children in particular, most works focus exclusively on the institutions run by the state and Catholic Church: schools, asylums, laundries, and homes for unmarried mothers. Here, we argue for the expansion of the concept of structural violence, demonstrating that it also affected women and children who were not institutionalised. Anti-abortion policies, we contend, are part and parcel of gendered structural violence. In Ireland, the 8th Amendment enacted interconnected forms of violence on many of Ireland’s women and, in some cases, girls. Despite the violence these women faced, their voicing of their experiences served as resistance, demonstrating how support and storytelling, in some instances, can help start the process of healing the individual and collective wounds of the past.

**Keywords:** abortion, structural violence, Ireland, obstetric violence, violence

### INTRODUCTION

In early 2021, the Irish Republic published its long-awaited report on the country’s mother-and-baby homes, titled *Final Report of the Commission of Investigation into Mother and Baby Homes* (2021). Subsequent criticism of the report denounced its failure to take surviving women’s stories and experiences seriously (Hogan, 2021; Regan, 2021). This botched attempt to overcome the country’s ‘collective amnesia’ and account for the state’s abuse of so-called ‘deviant’ women has shed light on why both individual narratives and social recognition are essential to correcting long-standing silences and healing the wounds of a violent past. The process that is required to work through violence took another form during Ireland’s movement to repeal its anti-abortion 8th Amendment (1983). Except in cases of imminent threat to the life of the pregnant person, abortion remained illegal in the Republic of Ireland until 2018 when, by popular referendum, citizens voted overwhelmingly to clear a pathway for legal abortion. While media attention contributed to the social and cultural awareness of the campaign to overturn the 8th Amendment, it was individual conversations and stories that most successfully fuelled the Repeal movement and convinced citizens to vote ‘yes’ (Barr, 2019; Browne, 2020; Mullally, 2018).

Through campaigns led by grassroots activists designed to target voters with emotive testimony, the Repeal movement succeeded, with 66.3% voting in favour of it in May 2018 (Fischer, 2020). One notably effective campaign was *In Her Shoes*, a social media project aimed at convincing undecided voters to support Repeal. Via Facebook and Twitter, *In Her Shoes* encouraged women to openly discuss the impact of the 8th Amendment by anonymously sharing their actual abortion stories and lived, embodied realities (Darcy, 2020). Many of the narratives revealed through *In Her Shoes* exposed women’s experiences of structural violence under the 8th Amendment: institutional and obstetric violence perpetrated by healthcare providers and the Irish state; physical violence at the hands of partners or abusers; and the emotional violence that shame, silence, and stigma created. These forms of violence were interlinked, supporting and upholding each other, and creating obstacles for women seeking adequate healthcare and bodily autonomy.

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Through a content analysis approach, this research analyses Irish women's<sup>1</sup> stories of structural violence in the context of the 8th Amendment. We collected a total of 773 social media posts from *In Her Shoes* on Facebook and Twitter, spanning from January to September 2018. This timeline is significant because it covers the origins of *In Her Shoes* through the aftermath of the referendum (May 2018), ending with the signing into law of the 36th Amendment, the act that repealed the 8th Amendment (September 2018). We then read through each entry, identifying repeated terms and common themes. We labelled these terms and themes as codes. Using HyperResearch coding software, we applied our previously identified codes to all *In Her Shoes* posts. Through this method, we identified structural violence as a dominant theme in *In Her Shoes* narratives, and we then categorised the forms of violence that contributors discussed into dominant subthemes: obstetric violence, interpersonal violence, and emotional violence.

After defining structural violence and linking it to abortion and the 8th Amendment, the article proceeds to lay out the ideological and cultural contexts that allowed violence to flourish in Ireland in the twentieth and twenty-first centuries. We then explore women's narratives, illustrating how obstetric violence jeopardised women's health and denied them control over their bodies. Specific stories, for example, elucidate how the medical system adopted a foetal-centric perspective and thus categorised women's bodies as solely reproductive, denying them full personhood. Next, we move to an analysis of interpersonal violence, examining abuse and intimate-partner violence within the context of the 8th Amendment. Ireland's anti-abortion system, we argue, exacerbated interpersonal violence; by denying women access to abortion, the state and medical system forced women to bear the children of their abusers and, in some cases, remain with abusers, who would again commit violent acts. Lastly, we turn to an examination of emotional violence, exploring how the shame and silence that was integral to Ireland's anti-abortion regime forced women to lie, keep secrets, and endure the trauma of travel. The results, we posit, included emotional distance from family and friends as well as feelings of alienation more generally.

While scholars have produced essential analyses of violence in twentieth-century Ireland, assessing how harm has impacted women and children in particular, most works focus exclusively on the institutions run by the state and the Catholic Church: schools, asylums, laundries, and homes for unmarried mothers (Buckley and McGregor, 2019; Clark, 2021; Garrett, 2017; Fischer, 2016; Pembroke, 2019; Sebbane, 2021; Smith, 2007). Here, we argue for the expansion of the concept of structural violence, demonstrating that it also affected women and children who were not institutionalised. Anti-abortion policies, we contend, are part and parcel of gendered structural violence. In Ireland, the 8th Amendment enacted interconnected forms of violence on many of Ireland's women and in some cases girls. Despite the violence these women faced, however, their voicing of their experiences also served as resistance, demonstrating how support and storytelling, in some instances, can help start the process of healing the individual and collective wounds of the past.

## VIOLENCE AND THE 8TH AMENDMENT

Violence, of course, can take many forms. In this article, we adhere to the comprehensive definition put forth by Husso et al. (2021: 4):

The concept of violence includes psychological threat, blame, humiliation and devaluation as well as the actual use of physical force or power, which may result in injury, death, psychological harm or deprivation. Violence is embedded in the social structures of power, inequality, institutions and regimes as well as in the symbolic order. It is manifested in human interaction, institutional and affective practices and ideological structures of cultural discourses and representations.

This definition of violence, which recognises both the physical and psychological, also underscores more abstract structures and symbols, which were integral in perpetuating structural violence in late twentieth-century Ireland (Solnes Miltenburg et al., 2018: 87). Structural violence does not only describe formal structures but takes a more inclusive view, considering how violence originates in, and is perpetuated by, social views and norms, culture and religion, politics, economics, and social policies. These forces create inequality, marginalising the most vulnerable. Structural violence is essentially 'the violence of injustice and inequity. Shifting away from individual experiences, it focuses attention on the often-unnoticeable systems (legal, political, economic, and sociocultural) and social relations that are part of the fabric of society and that shape individuals' experiences, including health and wellbeing' (Nandagiri et al., 2020).

States enact structural violence by limiting healthcare to the most marginalised in a society and denying people their basic needs. In Ireland, for example, the 8th Amendment denied abortion to those who could not afford to

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<sup>1</sup> We use the terms 'woman' and 'women' in this article for consistency; however, we recognise that people who are not women, including trans, nonbinary, and gender nonconforming people, also need abortions, and some of their stories appear on *In Her Shoes*.

travel or to those who, like asylum-seekers, were not permitted to travel outside of the state. Although the Amendment theoretically applied to every Irish citizen, those who had means and connections were able to travel to the United Kingdom for abortions. The 8th Amendment therefore was a tool of structural violence in limiting access to healthcare by the most vulnerable.

Structural violence may manifest through institutions, including hospitals and medical-care facilities, and at the hands of medical practitioners. Religious and cultural traditions that pathologise female sexuality are also part of the system of violence. In Ireland, legal and medical systems were at the heart of structural violence, but historical social and cultural forces were their bedrock. Analyses of structural violence, then, must consider the ideologies and attitudes that buttress policies and actions. In the case of Ireland, long-standing misogynistic attitudes, patriarchal social norms, and foetal-centric ideologies affected both the passing of the 8th Amendment and its implementation. As Gallen (2020: 46) has argued, state investigations into institutional abuses have ‘failed to address the nature and persistence of patriarchal social norms that influenced the establishment and operation of these institutions and practices.’ Without recognising the state’s pattern of allowing patriarchy and repressive ideologies targeting female sexuality to define its laws, constitution, and medical system, we cannot fully understand the extent to which structural violence was imbedded in Irish culture and society.

A colony of Britain in the nineteenth century, Ireland was home to a powerful nationalist movement seeking to create an independent state defined in opposition to the coloniser. In the nationalist imaginary, this Ireland would be Catholic and ‘traditional’, eschewing the modernisation and secularisation of the coloniser. Dating to the late nineteenth century, a revitalised Catholic Church particularly affected the emerging imagined Irish nation (Delay, 2019b: 314; Fischer, 2016: 822). Gender was central to Catholic ideology, which positioned Irish women as maternal, domestic, and sentient, focused on marriage and especially married motherhood.

After several years of revolution and war, part of Ireland earned independence from Britain in 1922<sup>2</sup>. In subsequent years, the new state enshrined married childbearing as central to the nation’s survival and identity. As Conlon (2015: 243) writes, ‘the nation came to be increasingly symbolised by motherhood’. The 1937 constitution presented motherhood as the sacred and natural duty of Irish women and their main contribution to the state and nation (*Constitution Text*; Kenneally, 2012: 225). Additionally, a series of new laws effectively designed to enforce domesticity and ‘remove women from public life’ curtailed married women’s abilities to work outside of the home, serve on juries, or seek divorce (Whitty, 1993: 853).

A particular focus of the new state was fertility within marriage. The state tasked married women with birthing the nation, which had become particularly meaningful in a postcolonial Ireland as well as a white Europe worried about fertility decline and ‘race suicide’. Informed by Catholic ideology and with the support of Church leaders, Irish legislators acted to restrict fertility control under the guise of ‘the protection of public morality’ (Conroy, 2015: 35; Earner-Byrne, 2010: 207-208). In 1929, The Censorship of Publications Act outlawed the dissemination of all print information relating to contraception and abortion. Shortly thereafter, in 1935, the Criminal Law Amendment Act prohibited contraception altogether (Luddy, 2017). Upon independence, Ireland also retained Britain’s 1861 Offences Against the Person Act, which outlawed abortion and recommended life imprisonment for both a woman seeking to induce miscarriage and anyone who assisted her (*Offences Against the Person Act*, 1861).

While married women in the new Ireland faced extreme pressures to reproduce, unmarried women were cautioned to remain ‘pure’ until marriage. Sexual activity and pregnancy were forbidden for those women who were not married. ‘Women’s sexuality and social behavior,’ writes Fischer (2016: 822-823), ‘were subjected to intense scrutiny, as visible transgressions of purity, especially, were met with opprobrium and punishment’. Isolating and containing the bodies of unmarried pregnant women and mothers in institutions became almost as prevalent as the emigration, sometimes voluntary, sometimes forced, of single pregnant women to England (Redmond, 2008). All Irish women, then, were controlled and constrained in a new state informed by Catholic norms that deemed women worthy only in terms of their reproductive capabilities. Still, Irish women, married and single, attempted to control their fertility.

When the Abortion Act made abortion permissible in most of the UK in 1967, it gave rise to what is known as the ‘abortion trail’ or ‘Ireland’s hidden diaspora’: a phenomenon, over the subsequent fifty years, in which thousands of Irish women travelled across the Irish Sea for legal abortions (*Abortion Act*, 1967; Rossiter, 2009). Between 1967 and 2016, over 200,000 women followed the ‘abortion trail’ to Britain (Earner-Byrne and Urquhart, 2020: 9-10). These journeys often were, of necessity, hidden, secret, and shameful. Ellison (2003: 323) writes that a lack of public discussion about, or recognition of, women’s abortion stories ‘signals the implicit structural violence (Kleinman, 2000) that underlies normative models of female sexuality and fertility and the rhetoric of what it means to be a ‘good’ and worthy woman, mother, and wife’. The ideological underpinnings of the Irish state’s structural violence should not be overlooked: the unique Catholic Church–State consensus that emerged

<sup>2</sup> In 1922, the 26-county Irish Free State was created, with six counties in Northern Ireland remaining part of the United Kingdom. The Free State was known as Éire from 1937 until 1949, when the Republic of Ireland was formed.

after independence attempted to harness women into restricted roles as wives and mothers while silencing any public discussion of sexuality and reproduction.

Even as Irish women accessed abortion services via travel in the late 1960s, 1970s, and early 1980s, feminist movements and legal transformations both at home and abroad caused trepidation amongst Irish anti-abortion groups who feared that legal abortion might make its way to Ireland (Delay, 2019c). A small but growing feminist movement in Ireland increasingly made birth control and, to a lesser extent, abortion, central to its mission (Kelly, 2019). In 1973, a legal decision made the importing of contraception for married women possible. Meanwhile, several years after the 1967 Abortion Act in Britain, *Roe vs. Wade* in the United States (1973) decriminalised abortion for millions of women in the Irish diaspora. These developments spurred anti-abortion activists within Ireland to act. The result was a dedicated anti-abortion campaign intent on introducing a new constitutional amendment to ensure that abortion would remain prohibited in Ireland (Schweppe, 2008: 304).

In 1983, Irish people voted on the 8th Amendment to the Constitution, which stated: 'The state acknowledges the right to life of the unborn and, with due regard to the right to life of the mother, guarantees in its laws to defend and vindicate that right' (8th Amendment, 1983). The amendment passed by a popular vote of 66% to 33%, and, as article 40.3.3, was added to the Constitution in 1983 (*Department of Housing, Planning, and Local Government*). The 8th Amendment went much further than previous dictates. By affirming the fundamental 'right to life' of foetuses, it equated foetal lives with the lives of pregnant people and defined women's bodies as reproductive. According to feminist scholars, this diminished citizenship and whole personhood for Irish women, creating a culture of fear and surveillance that would shame them and deny the reality of their experiences (Conroy, 2015; De Londras and Enright, 2018). In the words of Barry (2015: 122), 'the systematic disembodiment of women is a counterpoint to the granting of legal rights to the fetus' (Barry 2015: 122).

The goals of the structural violence that we describe here were to surveil and control, deny freedom and autonomy, and shame, with the effect of silencing women and enforcing existing power structures. The resulting 'widespread, endemic, and profound' harms, which include 'social marginalization, political exclusion, and economic exploitation', were particularly gendered (Gallen, 2020: 41). Research on violence and gender in Irish history and culture has expanded recently, shedding light on important topics such as sexual assault in the Irish Revolution, the abuse inflicted on children in religious homes and schools, and gendered institutional violence, most notably demonstrated by Magdalen laundries and mother-and-baby homes (Connolly, 2021; Fischer, 2016; Garrett, 2017; G. Clark, 2020; McAuliffe, 2020; S. Clark, 2021). Scholars such as Gemma Clark have urged us to examine not only significant acts of political violence in Ireland's past and present but also the 'everyday violence' that is still often overlooked (G. Clark, 2020). Clark's definition of 'everyday violence', which she applies to the Irish Civil War, however, is limited to physical acts. We can, however, expand this notion of 'everyday violence', recognising that it involves more than direct interpersonal physical acts and instead often becomes a tool of structural violence. 'Everyday violence' also tends to be gendered, affecting women and girls disproportionately. Ireland's infliction of state-sponsored violence on women's reproductive autonomy stemmed from the 8th Amendment's enshrinement of religious and 'moral' ideals as the foundation of political and medical regulations. Other nations have faced similar challenges in the realm of reproductive rights, but Ireland's particular history of subjugation of women and their reproductive choices is unique in that it has been unwaveringly discriminatory (Bloomer, 2014; Cook and Dickens, 2009; Drajčkiewicz et al., 2020; Kim, 2019). Nandagiri et al. (2020: 83) have examined 'how institutionalized and everyday forms of violence restrict and affect abortion access and quality of care'. When the Irish state enforced the 8th Amendment, requiring women with nonviable pregnancies to carry to term those pregnancies or travel abroad away from their family and support systems as well as suffer health risks and consequences during miscarriage, it created a marriage between institutional and everyday violence. Compelling providers to deliberately withhold information about reproductive options is further evidence that the state inflicted violent harm on women's reproductive bodies (Berer, 2013; Bloomer, 2014; Broussard, 2020; Drajčkiewicz et al., 2020; Enright and Ring, 2020; McReynolds-Pérez, 2017). Ensuring that only those with the financial means were able to access abortion care both in the comfort and privacy of their own homes through abortion pills or in a clinic setting outside of Ireland was a discriminatory practice that oppressed marginalised women experiencing physically, emotionally, and economically challenging pregnancies (A. Aiken et al., 2017; A. R. A. Aiken et al., 2018; Jelinska and Yanow, 2018).

In two landmark cases in 2016 and 2017, the United Nations Human Rights Committee (UNHRC) found that Irish anti-abortion law violated women's rights under the International Covenant on Civil and Political Rights. The UNHRC based its decisions on the rights to freedom from cruel, inhuman and degrading treatment; privacy; and non-discriminatory and equal enjoyment of other rights. It ruled that forcing people to travel abroad to terminate pregnancies failed to pass a test for substantive equality; that is, compared to those in a similar situation (i.e., women with nonviable pregnancies who choose to carry to term), the rights of women who wished to terminate were violated (Sękowska-Kozłowska, 2018). The following year, with Repeal, the Irish public too seemingly recognised the harm inflicted on Irish women by an oppressive state.

## OBSTETRIC VIOLENCE

During the Repeal campaign, Irish women described a myriad of ways that their bodily autonomy and reproductive choices were severely limited. All aspects of reproductive health were affected by the 8th Amendment, including contraception, pregnancy, childbirth, as well as pre- and post-partum care. The 8th Amendment's anti-abortion focus was part and parcel of a larger system in which the power of medical professionals, and the lack of agency afforded to parturient women, were enforced (Murphy-Lawless, 1988, 1998). During both pregnancy and labour, some women suffered at the hands of doctors acting under the 8th Amendment. Medical staff at various hospitals performed unwanted procedures, withheld care, and made decisions in the interest of the foetus or newborn, ignoring the effects on their mothers. As one woman wrote: 'After 20 hrs and every intervention possible, my daughter was born. As the doctor stiched [sic] me up, she told me my 'contractions were too short.' She sounded pissed off with me. That is when I learned that she had performed the episiotomy [sic] during my labour without consultation. It still gives me problems to this day' (June 2018). Another woman described her needs being ignored because the midwife was unconcerned about the risks to her body, focusing only on the health of her son:

14 hours later I gave birth to my beautiful son, even though I was overwhelmed with love and emotions, I was also still in agony. It was at this point that the midwife told me he has been in the wrong position and that he'd actually come out on his side, and so I'd torn and ripped internally, and that usually this would have warranted intervention, but because the baby wasn't in distress, she hadn't felt the need to do that, she was happy enough to let me keep pushing. SHE was happy enough. I didn't have a choice (June 2018).

These accounts expose the structural violence—'the violence of injustice and inequity' (Nandagiri et al., 2020: 83)—at work in the Irish medical system.

Structural violence related to reproduction can be categorised as 'obstetric violence'. Obstetric violence is a term that was created by scholars in Latin America to describe the forms of violence that parturient women experience, often at the hands of a powerful medical system that does not put patient needs first. Obstetric violence is 'expressed through dehumanizing treatment, medicalization abuse, and the conversion of natural processes of reproduction into pathological ones' and often involves 'bullying and coercion... by health care personnel [...]' (Diaz-Tello, 2016: 56; Vacaflor, 2016: 1). It can manifest through numerous medical procedures including forced episiotomies, coerced Caesarean sections, and other interventions performed without consent or with medical coercion. Obstetric violence, therefore, is considered violence not only because of the actual procedures performed on women's bodies but also because of the coercive nature of those procedures and the fact that often women are not able or willing to give their consent to those procedures.

Ireland's history of obstetric violence is extensive. The practice of symphysiotomy, which entails cutting through the cartilage and ligaments of the pelvic joint to widen the opening of the pelvis to allow delivery of an obstructed infant, was an alternative to Caesarean sections practised in Ireland through the 1980s (Delay and Sundstrom, 2020; Khaleeli, 2014; O'Connor, 2010). This surgery is described as excruciatingly painful and carries lasting side-effects, with survivors reporting lifelong incontinence, walking difficulties, post-traumatic stress disorder, and permanent disability. Symphysiotomy was rarely practised in the rest of Europe after the 1950s, but an estimated 1,500 Irish women experienced this procedure between 1940 and 1990 (Khaleeli, 2014). The practice continued for a variety of reasons: a Catholic aversion to Caesarean sections (which, it was believed, could limit the number of children that a woman can bear), the need to train medical students in procedures that could be carried out without electricity in rural parts of the world where they would later practise, including nations in Africa, and a general disregard for women's autonomy and well-being for the sake of the cause of continued reproduction (Fischer, 2019; Khaleeli, 2014).

Patient consent was often not sought for symphysiotomies, and many survivors of the procedure did not know they had received it until well after the fact (Delay and Sundstrom, 2020). Alongside other examples of obstetric and reproductive violence in Ireland, symphysiotomy is not a distant history but rather living memory. Survivors of symphysiotomy have fought in recent decades for the right to be compensated for the abuse perpetrated on their bodies without their consent or knowledge, and many of them are still fighting (O'Connor, 2010). Symphysiotomy paved the way for the realities faced by women under the 8th Amendment, revealing the persistence, across decades, of structural violence aimed at reproductive women (McCarthy, 2016; McCarthy et al., 2008). In twentieth-century Ireland, an institutionalised, medicalised model combined with unique religious and cultural realities to present an extreme example of obstetric violence and thousands of women who were disempowered during childbirth.

Ireland's culture of reproductive coercion and obstetric violence had a chilling effect on doctors' abilities to perform their jobs in a compassionate and safe manner. Moreover, some women encountered providers who would decline to perform procedures or withhold information due to what they saw as the potential for violating

the 8th Amendment. Women witnessed their doctors make choices not for their health, but for legal protection, refusing to perform procedures that could be construed as ending pregnancies unless the mother was at death's door. The most notable of these cases is that of Savita Halappanavar, who died in 2012 as a result of her doctors' hesitation to terminate a nonviable pregnancy. Although Savita was miscarrying, her foetus's heart was still beating. Because her doctors were concerned with the legal implications of their actions, including potential criminal prosecution, they refused to perform a therapeutic abortion. There was no elaboration in the law or guidance about how 'in danger' the life of the mother had to be in order to justify a termination of pregnancy. Halappanavar died of fulminant septic shock due to her delayed care (Berer, 2013).

Even in acute cases, waiting for a woman to become sick enough that it was legal to terminate her pregnancy showed how following the law resulted in medical neglect. One woman described her experience of being treated as merely a vessel for her pregnancy:

A neurologist visited my bedside to explain things. Basically we're worried that you've got a bleed on your brain and this bleeding is going to cause a stroke or worse. We think it's caused from high blood pressure from the pregnancy [...] Ok so if we think this pregnancy is threatening my life shouldn't we end it? Awful and all as that may be? Well now we can't do that because right now at this moment you are not dying. .... Sorry? Doesn't it make more sense to stop this now before it kills me? Yes, it does. But it's against the law, your baby has a right to live until the moment it starts to kill you, it's not killing you now, it could, but it's not right now. Ok if this bleeding does start to kill me how quickly will it happen? Hard to say, but most likely pretty quickly, minutes. And then you'll act? Yes, we'll whip you up to surgery and attempt to save your life [...] IF THERE'S TIME (February 2018).

Women with life-threatening or chronic conditions including cancer also were faced with uncertain futures: if they were to become pregnant, their life-saving treatments would be stopped, as this woman recounted: 'The radiotherapy and chemotherapy would have had serious consequences on any developing embryo and any pregnancy would have been unsustainable. But despite that, if I had become pregnant there would have been no help for me here. I would have had to travel for an abortion or stay here and cease treatment until such time as the pregnancy terminated itself' (January 2018). In another example, a woman explained how her concerns about her dangerous ectopic pregnancy were ignored and her life put at risk because there was an extremely faint heartbeat:

The pregnancy wasn't progressing as it should have been. However, there was a heartbeat. Very faint [...] I was told 'my hands are tied' due to the heartbeat. It turned out I had a scar ectopic pregnancy. Very rare and dangerous. It was gone too far along to remove, because all the weeks previous no one would listen to me as there was a faint heartbeat. I knew something was wrong. I ended up having a massive haemorrhage and my body was septic...my life was put on the line for a faint heartbeat and my baby was never going to develop (April 2018).

In some cases, providers were unable to discuss with patients all available options for pregnancies with Fatal Foetal Abnormality (FFA). The silencing nature of the 8th Amendment meant that mentions of early inductions or terminations were covert or vague, providing cover for providers who risked prosecution, but failing to properly inform the women who relied on those providers. Abortion information was challenging to find and often withheld. In many cases, women were unaware there were any options at all:

I decided I would visit my GP where it was confirmed, I asked her what are my options, she said she could not give me any information on services. I rang around organisations trying to get information on my options – I wasn't aware of who could help me, I must have rung ten most told me they couldn't help me and they don't provide information on abortion (February 2018).

Providers occasionally referenced 'other options', but were not permitted or willing to discuss them in detail:

He then went on to tell me of my choices, 'you can continue with the pregnancy which could have some problems at labour because there is no skull, or you can do the other option which we can't discuss with you'.

Information about the progress of a pregnancy with FFA was also withheld, particularly during scans and ultrasounds. Some of this withholding may have been due, in part, to the knowledge that nothing could be done if an abnormality was detected:

She scanned my belly and there he was but she was so silent. My senses started to kick in 'is everything okay?' my heart pounding. Yes, it's fine we'll just book you back in for another scan next week with the



doctor little man isn't being very compliant she giggled...The appointment came and I checked in and was asked to come to a room. We were left there for a few minutes with a big book sitting in front of us neither of us opened it. Then a woman walked in and sat 'let me explain to you about trisomy.' Wait...WHAT! Hold on we are just here for a scan!! 'Oh...I thought you knew' (March 2018).

Yet another instance of state-sponsored violence was the difficulty, or in some cases impossibility, of burying the body of an infant in Ireland after being forced to travel for care. The inability to mourn at the grave of a child was an act of cruelty reinforced by the government. As one story explained,

Our little boy was born at 18 weeks and 2 days gestation, and we were given time to say many goodbyes to him. He couldn't travel back with us. Due to my husband's religious beliefs, he had to be buried where he died. So part of us too remains in Liverpool... I wish that we didn't have to travel abroad to seek help in our darkest hour, and that our little boy was buried in Ireland, close to home, where we could visit on Sunday afternoon (March 2018).

For those who were able to bring the bodies of their children home, the ordeal was prolonged by overseas trips. Women described the logistics of traveling back and forth to end a wanted pregnancy and then retrieve the body of an infant as a cruel joke: in the hour of need, more obstacles. One woman wrote, 'To be honest I cannot put into words how that felt. Sitting in an airport waiting for your flight, knowing that you had just left the body of your tiny baby, who only fit into your hands, behind in a hospital room. That when you came back here in a few weeks it would be to collect her ashes' (May 2018). Another woman described the experience of transporting the body of her son home on the ferry, explaining, 'They gave us a coffin for him and we took him home on the boat. We put a coat over the coffin so as not to upset strangers' (April 2018).

Obstetric violence under the 8th Amendment had significant real-world effects, resulting in deaths, illness, and other poor healthcare outcomes for pregnant people. Essential to this violence was the patriarchal and pronatalist ideology that underpinned Irish culture: one that constructed unmarried pregnant women as pariahs, forcing some to emigrate, a culture that contained and controlled so-called sexual 'deviants', and declared that married women's lives were only as important, and sometimes less important, than their fetuses. Functioning alongside, and intersecting with, these institutional forms of violence were instances of interpersonal violence that further demonstrated the misogynistic nature of Irish culture.

## INTERPERSONAL VIOLENCE

Intimate partner violence can involve 'physical, verbal, psychological and/or sexual abuse' (Diver 2019: 2). Historians including Cara Diver, Lindsey Earner-Byrne, and Louise Ryan have examined how the post-independence Irish state constructed an ideal of the Catholic nuclear family that necessitated hiding or ignoring cases of family violence. 'When families deviated from accepted norms,' writes Diver, authorities 'attributed such behaviour to outside influences,' including 'foreign books, newspapers, and films' (Diver, 2019: 6; Earner-Byrne, 2017; Ryan, 2002). It is likely that Ireland, compared to other states, 'was more reluctant to address the problem of violence within marriage' (Diver, 2019: 7); many Irish women, consequently, lacked institutional support in dealing with partner violence.

While interpersonal violence is often interpreted as private, its links with the state are evident. The 8th Amendment exacerbated interpersonal violence. It gave institutional and cultural support to intimate-partner violence and abuse, child abuse, rape, and other forms of gender-based violence by refusing to allow survivors of violence to control their fertility and bodies. Without the ability to choose abortion, some survivors of violence were unable to escape their abusers; those who bore their abusers' children were linked to their abusers for years. Studies have shown that women in abusive relationships are at increased risk of unintended pregnancy and, therefore, a need for abortion (Pallitto et al., 2013). Moreover, women in violent relationships who experience increased levels of fear and control at the hands of their partners are less able to prevent pregnancy or negotiate contraceptive use, and women experiencing unintended pregnancies are at increased risk of further physical and sexual abuse (Goodwin et al., 2000; Pallitto et al., 2013). These women, in addition, are often coerced into reproductive decisions by manipulative partners.

Through *In Her Shoes*, some women described fear of abusive partners as a central factor that exacerbated the difficulty of terminating their pregnancies: 'There's no way I can get out if he finds out I'm pregnant. There's no way I can survive a pregnancy in this house with him' (January 2018). Women who were able to travel for abortion discussed making the choice to terminate while in abusive relationships out of concern for their existing children. As one woman wrote, 'In time I got away and was able to the best of my ability focus on my two beautiful children... My children who were already alive needed me. I'm forever grateful I at least had the opportunity to travel. I will always put my living children first' (May 2018). Some explained that deciding between another

pregnancy or providing for their existing children threw their lack of options into stark relief: to travel, surmounting the barriers of abuse at the hands of the government and their partners, or risk being even more deeply trapped.

While those who could travel to Britain for legal and safe abortions were in a privileged position compared to those who did not have such options, forcing women to travel far from their homes and support systems was another manifestation of the structural violence that these women experienced, serving as a continuation of the violence they experienced at the hands of their abusers. Delay (2019a: 219) has argued that traveling for abortion services had lasting effects on Irish women, who often viewed trips as 'involuntary exiles marked by displacement, dislocation, and a sense that going home again was nearly impossible'. For some abortion migrants, Delay (2019a: 222) further argues, 'moving through space and across borders ... does not comprise an act of identity construction; rather, it serves to fracture some women's sense of national identity'. As one contributor to *In Her Shoes* wrote, 'I can barely put to words the feeling of shame and guilt of having to leave my home country, my beloved Ireland, in the dead of the night to access a medical procedure that is my right...' <sup>3</sup> The state's anti-abortion laws and enforced travel, then, could even fracture a woman's connection to her country.

For some women, of course, travel was not possible. Women in violent relationships were subject to the confinement of not only state laws but also their abusive partners. As a helpline volunteer later recalled: 'My first call (volunteering for Abortion Support Network) on Wednesday was from a woman who was frantic because her abusive partner had stolen her passport. "He's told me he'll kill me if I have an abortion", she told me' (January 2018). Without access to legal abortion in Ireland, these women found their options even further restricted; attempting to travel to England was not a choice for those whose partners monitored their actions, controlled their finances, and thus prevented travel. For women choosing termination, other options had to be weighed carefully, but quickly. As one woman posted: 'I can't travel, illegal pills are my only hope. I'm desperate' (January 2018). Procuring abortion pills was illegal, but some women had no other viable choice: there was no option for legal abortion domestically, and for some with abusive partners, travel abroad was impossible. Individual actions and interpersonal violence, then, contributed to the system of structural violence, exposing the 'cumulative' nature of violence in Ireland (Nandagiri et al., 2020). By restricting abortion access and therefore essentially forcing some women to give birth, the state also ensured that women would be tied to their abusers through parenthood. One woman explained how her unintended pregnancy linked her to her abuser forever:

The day after I finished my exams I found out I was pregnant. He was delighted. I was devastated as I knew my shot at freedom had been taken from me. He had always held my passport and I wasn't allowed to learn to drive. There was no way I could ever afford to travel or even get to an airport or ferry port without him knowing. I was alone. I did eventually get away from him but I am forever tied to this person. I need his permission any time I leave the country. I will never fully be free from his grasp (September 2018).

Women and girls who were victims of rape and child abuse dealt with the additional burdens of shame and stigma when attempting to make choices about their unwanted or nonviable pregnancies; additionally, they often lacked legal and medical support and information about their reproductive options (Cullen, 2019; Erdman, 2019; Goodwin et al., 2000; Pallitto et al., 2013). The effects of the 8th Amendment meant that women and girls were left unaware of their options or struggled to access them under the weight of an unsupportive system and cultural norms that trivialised their suffering.

Through *In Her Shoes*, some women described the abuse they endured as children, which led to pregnancies that they were unable to terminate safely at home. One woman wrote, 'I was 12 when it happened. I was raped by someone at least four years older than me. At the time I didn't realise what had actually happened, I never said no. Looking back I never gave my permission. It was rape. I was 12' (June 2018). Other women reported being groomed by adults and then tormented by their abusers when they became pregnant:

I had very much gone there to flee an abusive relationship with the Lutheran Pastor of my parish who had started grooming me when I was 13 and finally began sexual relations with me when I was 17.... I ended up having to go to London... The father, that pastor, was f\*\*\*ing with me all the time, first wanting me to terminate when I was considering carrying to term, then opposing the abortion when I wanted it (August 2018).

Compounding the shame and stigma of rape, women and girls also had to deal with a legal system set up against them. Even when they were able to tell their stories, many were not believed, and for some, the legal system proved inaccessible or hostile (Molloy, 2018). Even when some were able to travel abroad for abortion, they often were unable to access legal recourse:

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<sup>3</sup> March 12. Emphasis ours.

I was much younger than the other girls in the clinic. I wanted everyone to think I was older. I think even the staff in the clinic were shocked by my age. Nobody ever suggested contacting the authorities, or pursuing an investigation. Those things simply weren't considered. Everyone's attitude was to say as little as possible. Me included (May 2018).

In these women's recollections, authorities were uninterested in supporting victims and survivors of rape or sexual assault, even when women did attempt to report such incidents: 'I tried many times back then to report it. It happened in the North, I was from the South. Neither the gardai or the police felt they could help' (July 2018).

In a continuation of the cycle of violence and abuse, one woman described being raped after terminating a pregnancy (also by rape): 'I walked home. I couldn't call anyone; no one knew I was pregnant. The last time I saw him, he raped me. I was still bleeding from the termination' (May 2018). The persistent and pervasive denial of bodily autonomy enacted by the 8th Amendment further prevented healing for rape victims. Denied legal means to face their rapists, women were also refused the right to decide what to do with their bodies without traveling to a foreign country. One writer explained, 'I have seen a lot of anti choicers express how abortion can't "un-rape" you, no it can't, but I woke up every day feeling possessed by my rapist, knowing a product of him was still inside me, knowing my body was still owned by this event, and I can confidently say that in my case, and no doubt many others, abortion helped me heal' (February 2018). Women maintained that having the option of abortion in Ireland would have provided some measure of comfort and control, yet that remained impossible under the 8th Amendment.

## EMOTIONAL VIOLENCE

As women's narratives reveal, the psychological and emotional effects of abortion-related trauma and violence were real and pervasive. Women seeking abortion navigated not only an unhelpful and sometimes-hostile Irish medical system, cultural burdens, and financial stress, but also the pressure to hide or keep secret their experiences. An Irish woman named Angela described her experience seeking an abortion in London as follows: 'I didn't tell anyone but my ex where I was going for the weekend...I had been in London many times before, had even lived there for a while. But this was like a secret visit' (Ruane, 2000: 22). Others who shared their experiences on *In Her Shoes* similarly expressed the silence and secrecy that surrounded their pregnancy terminations. They spoke of abortion as a 'family secret' that was 'hidden,' or of not being able to tell their stories for years, if ever. They noted the isolation and alienation that accompanied their silence as they travelled across the sea.

The notion of silence in Irish women's lives and history has a pervasive presence in existing scholarship. Throughout the twentieth century, the shame and prudery linked to sexuality in Irish culture and history intertwined with a public taboo on most things related to the body and sex (Englis, 2005). This cultural system was enforced by not only legislation and Church dictates but also a web of institutions that isolated sexual 'deviants', notably unmarried women, from the rest of society. Inextricably intertwined with silence, then, was a heightened public awareness of 'deviant' female sexuality, a concomitant surveillance of women's bodies, and an abundance of what Dolezal (2016) calls 'body shame' (also see Dolezal and Petherbridge, 2017). 'The history of the Irish state,' write Enright and Ring (2020: 68), is 'littered with shamed bodies.'

First-hand accounts of abortion testimonies remind us that the system of structural violence included shame and silence. After 1967, when the 'abortion trail' to Britain began, Irish women seeking abortion made their voyages, and their plans, in secrecy, constructing 'cover stories and lies' to explain their travel and absence (Ruane, 2000: 55). In January 2018, one woman wrote on *In Her Shoes*: 'We had to tell so many lies about traveling ... We had to have our story straight for when we got back, what we did, what we saw, so many lies' (January 23). Several months later, another contributor posted:

I can barely put to words the feeling of shame and guilt of having to leave my home country, my beloved Ireland, in the dead of the night to access a medical procedure that is my right. The mental anguish that ensues behaving like a criminal. The suffocating secrecy of it all. The fake sick certs, the lies told to colleagues and college tutors alike (April 24).

For this woman and many others, the lies and secrecy that were bound up with abortion went hand-in-hand with feelings of shame that were tied to being a parturient woman specifically in Ireland, making it impossible to 'put to words' individual thoughts and experiences. In April 2018, another contributor posted:

What I am angry about is the circumstances around my abortion. The lies. The travel. The cost—emotionally, mentally and financially. The fact I was alone. The fact that after undergoing a medical procedure I had to take a tube, a train, a plane and a taxi before I could climb into my own bed to recover. The lies (April 24).

For this abortion-seeker, being alone throughout travel and navigating unfamiliar spaces were significant traumas that nevertheless were eclipsed by 'the lies' that she invented. The individual accounts featured on *In Her Shoes* consistently linked the personal with the national. The lies that women told in their own lives mirrored the greater lie that Irish society upheld for decades: the myth that Ireland, unlike other places, did not have 'vices' such as abortion.

Many women lamented the reality that they told no one about their experiences and did not feel as if they could share their abortion with others. One woman posted about her abortion decades earlier, recalling clearly the isolation of the experience along with the 'secret' that she and her partner kept for years:

Got pregnant, and my partner and I decided on an abortion. I travelled alone to London leaving my children and partner at home. It's a memory I try to forget but can't. We since had 4 children of our own, and are now married, in our sixties with grandchildren. Our secret will stay with us forever and our sadness (February 7).

Despite the secrecy and silence that accompanied this woman's abortion, forgetting was impossible. Abortion experiences, then, remained locked in the minds of women, becoming a part of them but resisting expression. Another contributor recalled:

The procedure was a painful and lonely experience. But the aftermath—the silence and secrecy—was more painful and lonely than I could have ever imagined. We told no-one for over a year and he refused to speak about it with me, instead just pretending that it never happened. I bottled it up. ... Neither of us regret the decision to have an abortion but the shame, silence and secrecy that surrounded it were absolutely horrific (February 7).

In these narratives, the inability to talk about their abortions—the deafening silence that accompanied such experiences—served as a source of violent trauma, one that stayed with women for years and sometimes decades, troubling not only individual well-being but also partnerships and family life.

When women travelled to Britain for abortions, they often encountered other Irish women making similar voyages. Still, the silence and secrecy of Irish culture also travelled with these women; their ability to communicate with each other even across the sea remained nearly impossible. Moreover, conversation with partners, friends, or family who accompanied women on their abortion stories was similarly constrained. One woman recounted:

The day after we arrived [in England] I got the train to the clinic I felt scared and emotional, while in waiting room I got talking to another 2 Irish girls who were in the same boat as myself, we didn't speak much. ... After the procedure I sat in a room with other women feeling numb. ... My friend met me out of the clinic where I just cried and cried on his shoulders. We got our flight home the next day and we sat in silence, he didn't know what to say to me I felt so alone. I still feel alone in the issue (February 10).

Another clinic waiting-room narrative read as follows:

My baby sister (19) rang me in a state. She'd just taken a pregnancy test and it was positive... [In London] we went to the clinic the waiting room was full of Irish girls, it was so shocking. ... It's like you're sitting there and it feels like someone needs to say something but no one does, there's nothing to say. Nods of acknowledgement and head down until you're called next (February 9).

These personal and interpersonal silences involving friends, family, and strangers undergoing a similar experience reflected the larger national absence of a dialogue about the realities of reproduction. Indeed, the inability of individual Irish people to articulate abortion realities in words stemmed directly from the long-seated cultural narratives that linked women's bodies and reproduction with shame and hiding. The institutions and ideologies that had long constrained Irish women's reproductive lives continued to isolate and alienate women, making it nearly impossible for them to speak at all, and perpetuating the continuum of violence that characterised reproduction in the twentieth century (Sanger, 2016).

## CONCLUSION

Combatting and resisting structural violence are difficult endeavours, but ones that begin with individual stories and social support. Interpersonal support and small acts of resistance from friends and family members, emotionally, physically, and financially, were a vital source of strength and resilience for the women who shared

their stories: ‘The girls are my family, and rallied around to support me. They all pooled in money together, and one had a friend in the UK that had a couch for me to crash on’ (January 2018). Support from providers, both in person and through phone helplines and websites, also contributed to access to reproductive counselling and choices. Women reported positive experiences with online resources and phone lines as they sought information and resources after being denied that support by their country and their medical providers:

Abortion Support Network met me with the kindest support. They truly are pro-woman, pro-My-life. They understand the vast reasons people need abortions, and really helped me when I felt I had no one to turn to. I was completely supported if I wanted to continue my pregnancy, and given local options for counselling. I was completely supported in being firm in my knowing what I needed and wanted (February 2018).

Many women also related support from clinic providers overseas who gave them the kindness and compassion they deserved, but could not receive at home. One woman who was able to travel abroad explained

When I arrived at the clinic in Manchester, I was treated with kindness and understanding and empathy for the first time since I’d become pregnant. They made a very unpleasant experience as comfortable as possible for me. It sickened me that I had to fly to another country to be treated like a human being with rights (June 2018).

Some Irish providers even risked breaking the law by discussing abortion options, which women described as being done quietly and under the table. Covert advice from providers was provided only secretly, but was a valuable source of support and respect: ‘Before we left, we were told furtively and quietly to “think about your options.” We knew what we were being advised to consider’ (June 2018). Another woman described her provider secretly passing her information: ‘On receiving the worst news imaginable at our 20 week scan I was covertly handed a brown envelope under the table from the kind doctor and I was told I should consider these options’ (May 2018). Encouragement and assistance by Irish people, doctors and providers at home and abroad, and international organisations were acts of resistance against the dominant culture of shame and stigma around abortion. This support provided a vital role for abortion-seeking women, stepping in where the country and government had failed. Although these instances resisted structural violence, they could not dismantle it. Indeed, the process of dismantling, which must include state involvement, has only just begun.

In 2020, a special issue of *Éire-Ireland* examined transitional justice in the Irish context. It explored how the state could begin to address the institutional violence of the twentieth century, referencing the harms inflicted by ‘Magdalen laundries, county homes, mother-and-baby homes, child residential institutions, child foster care, and the closed, secret, and coercive adoption system’ (O’Donnell et al., 2020: 10). As the editors write, recently, the theory and practice of transitional justice have expanded, moving beyond applications only in war and conflict situations to also include a recognition of ‘systematic institutional abuse and injustice in settled democracies’ (O’Donnell et al., 2020, p. 10). We, in turn, hope to expand the application of transitional justice in Ireland beyond institutions, arguing that the obstetric, interpersonal, and emotional violence imposed and enforced by anti-abortion legislation should be recognised as structural violence in Ireland’s past and present and should provoke a new movement toward transitional justice and reconciliation.

Transitional justice must involve ‘truth-telling, accountability, redress and reparation, and guarantees of nonrecurrence’ (O’Donnell et al., 2020: 12). In the case of violence under the 8th Amendment, while accountability, redress and reparation, and guarantees of nonrecurrence have not occurred and are unlikely to, the process of truth-telling through platforms such as *In Her Shoes* has been successful and indeed overwhelmingly influential. Perhaps this can lead to some sort of state recognition of the structural harm that women needing abortions experienced in the past. Gallen (2020: 45) writes, ‘To address a violent past meaningfully—to know what happened, who was responsible, and what should be done—the truth about past wrongdoing must be established’.

*In Her Shoes* made public Ireland’s endorsement and enactment of structural violence against women. Our analysis of women’s narratives from *In Her Shoes* reveals instances of rape and partner violence, health disparities, forced travel, barriers to care, and withholding of information by healthcare providers. Hundreds of vivid posts described the impact of structural violence, stigma, and shame on women’s medical care and their lived realities. Many women’s stories also included narratives of how the 8th Amendment continued to impact their lives years after the specific experiences they discussed in their posts. However, as demonstrated through stories detailing hundreds of instances of support both large and small, the experience of feeling and being supported can be an act of resistance against the dominant culture.

Our discussion of abortion and structural violence in the Irish context has larger implications. In their work on COVID-19 and abortion, Nandagiri et al. (2020: 83) call ‘for more research that grapples with structural and indirect forms of violence that surround and shape abortion trajectories’. Scholars studying abortion tend to focus



on a particular system—legal or medical, for example—that affects women's abortion access and/or realities. The concept of structural violence, however, forces us to recognise the impact of interlocking systems and forms of violence, including those that are sometimes less visible to scholars. This article suggests that we can only understand the real consequences of gendered structural violence by listening to women's narratives and validating their experiences. The opportunity to tell one's story and invite readers to take a walk in another person's shoes can be liberating for contributors to social media. But the state too must engage with truth-telling, recognition, and compassion. It must listen to women. By recognising the violent past, hearing women's stories, and committing to supporting parturient women, the Irish state, and other states, could champion the rights of women and girls better as they continue to try to make reproductive decisions in often difficult circumstances.

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## Women's Stories Transforming Understandings of Abortion

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### ABSTRACT

This paper is a self-reflective account of my experience of receiving a diagnosis of a fatal foetal anomaly in pregnancy in Ireland. It re-tells my story within the context of my memories of abortion in Ireland during the years 1992 to 2015. Placing my memories within a specific historical and social frame, this paper outlines how abortion was positioned in Ireland during these periods and reflects on how this positioning of abortion impacted upon my pregnancy. It further analyses the role that story-telling and personal experience played in the campaign to repeal the 8th Amendment and questions how these stories were treated differently from other forms of knowledge and epistemology.

**Keywords:** abortion, story-telling, status-quo, fatal foetal abnormality, transformation

### INTRODUCTION

We were told how tragic it was for them to have to go to England for an abortion, and that they had to use a courier to bring their baby's body back for burial. Doesn't that sad little story, in which a sick unborn baby was denied the dignity of being allowed to reach a natural end, illustrate how heartless abortion providers are? Whether it's in Dublin or Durham, the contents of an abortion are debris—not the kind of thing you put into a coffin and grieve over (Mullen, 2016).

Senator Rónán Mullen made this declaration in an opinion piece for the Sunday Independent newspaper in Ireland. A known anti-abortion zealot, his views, founded in the Roman Catholic dogma rather than lived experience, were given a national platform (Mullen, 2016).

While this statement is grossly offensive and callous in the extreme, it represents nothing of the lived experiences of women and families who, as he states, 'had to go to England for an abortion.' As I write this introduction, I look at a photograph, titled 'Family Portrait' (**Figure 1**), of my husband, myself and my daughter Rose. The photograph was taken in Liverpool Hospital shortly after she was still-born. I remember the precious hours that we spent together and the care that the midwives and doctors took of us. We spent one night in the hospital together, in a special room with a nursery for families like us who travelled from Ireland to Liverpool Women's Hospital after learning that our baby would never be born alive as she was diagnosed with a fatal foetal abnormality. I remember the writing on the wall above her crib that said, 'Twinkle, Twinkle Little Star, Do You Know How Loved You Are'. I think of all the love and care shown to us from the midwife who helped me wash my baby and gave me a tiny angel blanket for her, knitted by volunteers as standard baby clothes were all too big for her frame. I remember the midwife who took photographs of our daughter and told us that the hospital would always keep a copy of them on file for us, in case anything ever happened to our copies. The same midwife helped us fill out our daughter's baby book with details of her weight, length, time of delivery and recorded imprints of her hands and feet. I remember that I wanted to stay in Liverpool in that room with my daughter forever and dreaded returning home, home to the country that turned us away.

I look at a second photograph titled 'Maternity Bag' (**Figure 2**). It details the items that I packed in my maternity bag when travelling to Liverpool. My eyes rest upon a pink bunny that I had bought for my daughter when I learned that we were having a baby girl. The bunny lay beside her, in her crib for one night, and now it rests in a yellow memory box in our bedroom, alongside other mementoes from our time with our daughter. I look at the pink baby blanket and white knitted hat and try to remember her smell and feel in my arms. I look at the nightdress that I wore during my labour and remember how it touched us both and the dark pink towels that soaked up the

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Figure 1. Family portrait



Figure 2. Maternity Bag

blood from my labour. I think of my labour and my daughter's silent birth and wonder how abortion and birth can be separated from one another? My daughter was still-born after a compassionate induction of labour when I was 27 weeks pregnant but as she would never live, this is also an abortion.

When considering Senator Mullen's statement, one thing is abundantly clear to me - and that is what we know about pregnancy, birth and abortion should be grounded in the real-life experiences of women and families. However, our experience could not have been more different from the dominant narratives on abortion that filled Irish society. Our experience and the care we received was the antithesis to everything Mullen described.

After returning home from Liverpool, I joined a group of women called Termination for Medical Reasons (TFMR)<sup>1</sup> who had all been told that their baby would pass away at some point during their pregnancy. These women had started to share the stories of their pregnancies in their names to campaign for abortion rights in Ireland, and I decided to join them and share my story too.

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<sup>1</sup> TFMR was set up in 2012 by Arlette Lyons, Amanda Mellet, Ruth Bowie and Jenny McDonald after receiving a diagnosis of fatal foetal anomaly in pregnancy. The women shared their stories publicly to campaign for access to abortion.

## BREAKING THE SILENCE SURROUNDING ABORTION

Abortion was not carried out on the island of Ireland. The 8th Amendment to the Irish Constitution copperfastened its illegality in nearly every circumstance. Women who needed abortion healthcare silently travelled, primarily to the UK or mainland Europe, in secrecy.

However, this wall of silence came crashing down with the 8th Amendment's repeal on 25 May 2018 when the Irish electorate voted to repeal the 8th Amendment by a margin of two to one, evidencing that civil attitudes towards abortion held by the majority of people in Ireland had fundamentally changed<sup>2</sup>. Contrary to the Irish Varadkar's (2018) statement, this referendum result was not 'a culmination of a quiet revolution.'<sup>3</sup> This revolution took place because women had fought together to change the constitution. Yet the women in this army did not have ammunition to fight with or armour to protect themselves. The women in this army fought with their words as they broke the silence surrounding the subject of abortion. They publicly and privately shared their experiences of abortion to end the taboo, stigma and shame of abortion in Ireland, speaking the unspeakable. During the campaign to Repeal the 8th Amendment, many of these women were subjected to verbal and, at times, physical abuse by anti-abortion campaigners for doing so<sup>4</sup>. While each experience shared by each woman was unique to the individual, their shared experiences made visible the landscape of inequality and oppression that had relegated women to a subaltern and unseen position within Irish society.

In Ireland, the Regulation of Information Act, which passed into law in 1995, made it illegal to freely share information on abortion. As such, there has been a lacuna of information on or about abortion within Irish society. When spoken about in the media, seemingly objective experts have been called upon to give their independent opinions. Their singular viewpoint was treated as universal and privileged over that of the women's experiential knowledge. During the Citizens Assembly on the 8th Amendment 2016-2017, this was evidenced<sup>5</sup>. Women who shared their experiences of abortion were only allowed to do so anonymously through a pre-recorded interview played at one of the assembly sessions. At the same time, independent experts from the medical, legal, human rights, religious and academic professions were invited to address the assembly in person. Their knowledge and beliefs were deemed more legitimate to the experiences of abortion than those shared by the invisible, nameless women. During the final days of the campaign to repeal the 8th Amendment, the preferential treatment of outsiders' knowledge, opinions, and beliefs over women's real-life experiences is evidenced in many of the debates broadcast on Irish radio and television. The last televised debate broadcast on RTÉ (Radió Teilifís Éireann) on 22 May 2018 evidenced the preferential treatment of outsiders' knowledge and beliefs over the real-life experiences of women. This debate featured two male politicians: Simon Harris (Irish Minister for Health) and Peadar Tóibín (Irish anti-choice Politician)<sup>6</sup>. Women's lives, experiences and future reproductive rights were discussed and debated by two men with Simon Harris arguing for a Yes vote and Peadar Tóibín arguing for a No vote. This event was broadcast across the island of Ireland. Commenting in the Irish Times newspaper the next day, Peter Crawley stated that the last abortion debate in Ireland was carried out by 'Two men who will never experience a crisis pregnancy...' (Crawley, 2018) with women, their experiences and knowledges, made invisible again.

## WHAT STORIES MAKE WORLDS

One may ask, 'Why does this matter?' Donna Haraway states

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<sup>2</sup> 66.4% voted Yes, to repeal the 8th Amendment.

<sup>3</sup> Varadkar (2018).

<sup>4</sup> Many campaigners for repeal used the Repeal Shield plugin on Twitter to stop being harassed by anti-abortion campaigners who sent graphic images to their private accounts. I started using Repeal Shield after I received explicit anti-abortion photos on Twitter. Graphic, anti-abortion images were sent to me in the post from anti-abortion campaigners after I wrote an article detailing my experience of abortion. Anti-choice supporters physically threatened members of TFMR (Termination for Medical Reasons) with whom I campaigned while handing out flyers.

<sup>5</sup> The Citizens Assembly comprised of one hundred people. Ninety-nine citizens and a chairperson, Justice Laffoy, met over five weekends between November 2016 and April 2017. The citizens were tasked with examining the subject of abortion in Ireland and making recommendations regarding the type of access or restrictions that were needed and whether or not the government should hold a referendum to repeal the 8th Amendment to the Irish Constitution. The assembly invited individual Irish citizens, groups and organisations to make submissions on abortion and asked a select number of organisations to present. They also invited independent experts from both pro-choice and pro-life positions. After completing my submission to the Citizens Assembly, I was invited to give my testimony at one of the assembly weekends. However, I was not allowed to give my testimony in person. A pre-recorded interview of mine was played to the assembly.

<sup>6</sup> RTÉ is the national public broadcaster of Ireland.

It matters what matters we use to think other matters with; it matters what stories we tell to tell other stories with; it matters what knots knot knots, what thoughts think thoughts, what descriptions describe descriptions, what ties tie ties. It matters what stories make worlds, what worlds make stories (Haraway, 2016: 16).

This article stems from this belief that 'It matters what stories make worlds, what worlds make stories' (Haraway, 2016: 16). This principle is further grounded in the epistemological standpoint that knowledge should come from the lived experience of those whom the knowledge is about and that women can produce knowledge about and for themselves (Acker et al., 1991), hooks (1984), and Collins (1991) argue that black feminist thought comes out black women's experiences. This is in line with the theory that we can only gain a complete understanding of oppression from the standpoint of the oppressed subject. Taking the women's movement as an example, what we know about abortion should come from 'what actually happens in women's everyday world and how these events are experienced' by the women themselves (Acker et al., 1991: 135). Accordingly, this article is a self-reflective account detailing my memories of abortion in Ireland during the periods 1992 to 2015. I have chosen this period as the years 1992 to 2015 which contained formative memories on and about abortion in my own life. In 2015 I travelled to Liverpool Women's Hospital to access abortion healthcare after receiving a diagnosis of a fatal foetal anomaly in pregnancy, while the example I give from 1992 contains my very first memory of abortion<sup>7</sup>. In Collins (1991: 37), Berger and Luckmann state that 'it is impossible to separate the structure and thematic content of thought from the historical and material conditions shaping the lives of its producers'.

This article will place my individual experiences within a specific social and historical frame to understand why abortion was an unspeakable subject within Irish society, and highlight how the silence surrounding abortion has alienated women from their own reproductive experiences. Drawing on Anzaldúa's (2015) methodology of talking with images, I have included the two images that I wrote about at the introduction of this text. Inspired by Anzaldúa (2015), I will attempt to follow in her footsteps and

talk with images/stories to engage with creative and spiritual process and their ritualistic aspects. In enacting the relationship between certain images and concepts and my own experience and psyche, I fuse personal narrative with theoretical discourse, autobiographical vignettes with theoretical prose (Anzaldúa, 2015: 6).

Anzaldúa (2015: 15) states that for her, writing is 'not about being in your head; it's about being in your body.' I too have spoken with the wounds and scars of my body as I recall my experience of receiving a diagnosis of fatal foetal anomaly during pregnancy in Ireland and traveling abroad to access abortion healthcare. I have also recalled memories of and about abortion from my childhood, adolescent and adult years to understand how and why anti-abortion attitudes were so strongly formed in Irish society. Anzaldúa's (2015: 6) methodology, called 'autohistoria-teoría', is a way 'of making knowledge, meaning and identity through self-inscription' and she writes that, by working with images, concepts and personal experience, she joins theoretical discourse with personal and autobiographical narrative.

Following Anzaldúa (2015), I used the images 'Family Portrait' (**Figure 1**) and 'Maternity Bag' (**Figure 2**) as the foundational starting point of my text. These images bring together my personal narrative within a larger theoretical discourse. The spirit of these images speaks to me of love, loss and care and blur the distance between personal and public and live on the borderlands between abortion and maternity, the antithesis to the statement 'the contents of an abortion are debris—not the kind of thing you put into a coffin and grieve over' (Mullen, 2016).

During the campaign to repeal the 8th Amendment, it was through sharing the lived experiences of many women that the stigma and shame of abortion was finally lifted for many, as they were no longer exiled to another country, like criminals. The referendum's positive Yes outcome lifted the weight of oppression felt by many women in Ireland. Reporters from RTÉ news at the RDS (Royal Dublin Society) count centre on the day of the referendum result asked me 'How did it feel, the positive outcome?' I told them that 'It felt like it was the first time I could breathe since I got my diagnosis that I was going to lose my daughter during pregnancy' (Russel, 2018). It seemed as if I had been holding my breath for three and a half years. The day of the referendum result felt like it was the first time I could fill my lungs with air since the midwife said to me, 'I am sorry, but your baby will never be born alive.'

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<sup>7</sup> Fatal foetal abnormality (or fatal fetal anomaly) is a medical term used to describe a pre-natal diagnosis that means the foetus or baby will pass away during pregnancy, labour, or in some cases, shortly after birth, which means the neo-natal period within the first 28 days of life.

## YOUR BABY WILL NEVER BE BORN ALIVE

I remember everything about that moment; I can still feel the coldness of the wet gel that the midwife used to perform the ultrasound against my skin and the hard, thin sponge of the hospital trolley on which I was lying. I can still see the cross hanging over the door directly in front of where I was lying. The cross was a reminder that ‘this was a Catholic country’, and I wondered if it was there to remind me that this was a Catholic hospital also<sup>8</sup>. The midwife was sitting on my right-hand side with the ultrasound probe still in her hand. My husband sitting on my left-hand side, squeezed my hand and moved his chair closer to where I was lying. A doctor who had entered the room during my scan was examining the ultrasound screen with a concerned expression. I heard the midwife repeating, ‘your baby will never be born alive.’ It felt as if there was no longer any oxygen in the room. I started to shake and tried to fix my clothes as suddenly, I felt very naked and exposed. I could see the midwife talking, her lips were moving, but I could not make sense of anything she said. She kept repeating the words and phrases ‘fatal foetal abnormality’, ‘chromosomal testing’, ‘chorionic villus sampling’ (CVS), ‘amniocentesis’, ‘blood test’, ‘scanning for a heart-beat’ and ‘your baby will never be born alive.’<sup>9</sup> All this time, the doctor stood beside the midwife, nodding silently in agreement.

I had seen the screen on the ultrasound machine, and my baby looked perfect to me. I could make out a baby curled up in a foetal position. The midwife however, explained that ‘A baby, should be moving, wriggling, rolling, twisting and turning’ but my baby was not moving. It was as if someone had pressed the pause button, and we were looking at a still image. She also explained that my baby’s torso was proportionally much smaller than the rest of her body; this meant her heart and lungs would never fully develop. She said that if my pregnancy progressed and I went into labour, my baby’s lungs would be so underdeveloped that she would never be able to breathe. She explained that my baby would never be born alive as her heart would stop beating before birth, either during my pregnancy or with the stress of labour. She explained that she thought my baby had a fatal foetal abnormality called triploidy which meant my baby had twenty-three extra chromosomes, but that I would need to have a CVS or amniocentesis in the coming weeks to confirm this.

The words ‘fatal foetal abnormality’ were ringing in my head. I knew what this meant. I had read about this happening. I remembered reading four women’s stories: Amanda Mellet, Ruth Bowie, Arlette Lyons and Jenny McDonald’s. They all had been diagnosed with a fatal foetal abnormality and told that their babies were never going to be born alive (Sheridan, 2012). They recalled that, as abortion was illegal in Ireland, doctors told them that they would have to remain pregnant and wait for their baby to die. They all described how this would have felt like torture to them. Individually, they all decided to travel to the UK (for an abortion). I could not even think or say the word aloud. I wanted my baby, and I did not want to have an abortion.

The midwife then went on to tell me that all of this was unlikely to be a problem as it looked like I was going to have an imminent miscarriage. She told me to go home and pack a hospital bag with dark towels and leave the bag by the hall door. She advised me against leaving my house as she said I could start miscarrying very suddenly and recommended that I call an ambulance when I began to bleed as there would likely be a lot of blood. She made an appointment to see the foetal medicine consultant the following Friday but told me that I would most likely miscarry before then.

The following Friday, we returned to the hospital. I was now fifteen weeks pregnant. To everyone’s surprise, I had not miscarried yet. But when the foetal medicine consultant scanned me, they told me that this was not good news. It did not mean my baby was going to get better. They said, ‘they had never seen a baby appear this sick in the womb survive past twenty weeks’ gestation.’ They also thought I would miscarry very soon. The consultant went on to outline a plan to manage my pregnancy. My baby was too small to carry out any of the standard genetic tests that would confirm the specific condition that she had. This would only be possible in another few weeks. They said, however, that they would scan me weekly and check for my baby’s heartbeat. They explained that they would induce my labour only when there was no longer a detectable heart-beat. Alternatively, they told me that if I did not want to remain pregnant in Ireland, I could travel to the UK to have an abortion. The consultant advised me to wait a few weeks to carry out the genetic testing that would confirm my baby’s condition and determine if it had any future health implications. The consultant also warned me that in their experience, women who travelled to the UK to end wanted pregnancies after receiving a diagnosis did not cope well with the loss of their baby. He

<sup>8</sup> A midwife in Galway University Hospital said to Savita Halappanavar that “Ireland was a Catholic country” when she asked for her miscarriage to be induced. Tragically, Savita passed away from sepsis on 28 October 2012 after being denied a termination of pregnancy. See Holland (2012).

<sup>9</sup> Chromosomal testing is often carried out in pregnancy when a medical condition about the foetus or baby is detected *in utero*. This might include a combination of non-invasive blood tests with invasive tests such as chronic villus sampling (CVS) or amniocentesis. A CVS requires a sample of placental tissue, while an amniocentesis involves a sample of amniotic fluid obtained by an obstetrician.



advised me to wait and let my miscarriage or still-birth happen naturally and he reasoned that I would likely miscarry before I could get an appointment in the UK, so there may not be any point in booking one.

During this time, I spent a lot of time trying to find reliable information about fatal foetal abnormalities and realised that there was very little information available to me. I searched the Internet, trying to find any information that might give me some sense of hope. At first, I hoped that all the medical professionals were wrong, and I would deliver a healthy baby. But as the weeks progressed and testing confirmed that my baby did have a fatal foetal abnormality, I found myself accepting my diagnosis and secretly wishing that I would miscarry. Each week we returned to the hospital, and we could see on my baby's chart in the hospital file that she had not grown. Each week they told us it would not be long. Each week we found ourselves hoping that there would be no heart-beat so they could induce my labour and each week we found ourselves returning home to wait for her heart to stop beating.

## FILLING THE SILENCE

The problem with the silence surrounding abortion in Ireland is that it was not true silence. Yes, there was a vacuum of information on or about abortion from a pro-choice perspective. This void however, had been filled with anti-choice dogma in the Roman Catholic primary and secondary schools that I attended. Calkin and Kaminsky (2020) describe how the Roman Catholic Church 'exercised cultural influence among Irish citizens through its control of the education system'. Keating (2021) names this act of knowledge suppression (the spreading of a singular ideology or cultural right) as 'Status-Quo' stories and states that 'Status-Quo' stories serve to suppress all other forms of knowledge and alternative ways of thinking. These stories reinforce the unquestioned acceptance of already existing knowledge systems and do not allow any alternative positions to be seen or heard. She quotes WilsonBridges (2001), who states that

[What] becomes normative, 'right' and regulatory within the culture is determined by the beating down or stamping out of various other alternatives. Norms and values are established by way of domination. In this mental framework the possibility for both/and is destroyed. Both/and thinking is basically determined as irrational, primitive or illogical. What results is a raving, hate-filled dogmatic form of establishing cultural values (Wilson Bridges, 2001, in Keating, 2021).

Within the next section of this paper, I will reflect on these 'Status-Quo' stories and write about how they affected my pregnancy. While I waited for my daughter to pass away, I thought about and remembered everything I knew or had heard about abortion. Every 'Status-Quo' story that described abortion as an abomination ran through my head, and I not only felt terribly alone but also utterly terrified.

I thought about the parish priest who would visit my class in primary school. I remembered the day in 1992 when I was ten, and he told us he had come to talk to us about a girl called 'X'<sup>10</sup>. I had overheard my parents talking about X and stopping their conversation when I came into the room. I had also heard snippets on the radio and the news; I knew people did not want her to go to England, but I did not know why, and I could not understand why everyone was so upset. The priest told us that 'a bad thing had happened to X, that someone had made her pregnant when she did not want to become pregnant'. I remember him saying that 'X was too young to have a baby, but all she had to do was wait a few months and that she could give the baby up for adoption to a couple who were not able to have a baby of their own'. He said, 'we all had to pray together because the girl X wanted to go to England to murder the baby and we had to make sure this did not happen'. We all closed our eyes and said the Hail Mary together for the baby in X's tummy. We did not want her to murder the baby in England. I thought a lot about the word 'murder' and how it was used to describe abortion. I wondered if I would be called a murderer if I travelled to England to end my pregnancy now.

I remembered the first time I was allowed to go into Dublin city centre with my friends by ourselves after we had made our Confirmation in 1995 when I was thirteen and seeing a stall under the General Post Office (GPO)<sup>11</sup> with lots of red, bloody pictures taped to the front of a table. People were standing around the table holding signs with the same red, bloody images saying abortion was evil. I had never seen pictures like these before. First, I thought I was looking at pictures of raw meat or dead animals, but my friend told me they were pictures of murdered babies. I remember feeling like I was going to throw up and I didn't want to go anywhere near the table.

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<sup>10</sup> The X-Case was the case of a 14-year-old pregnant girl who had been raped. X had traveled to England with her parents to access abortion healthcare. Her parents, had however contacted the Irish police and told them they were traveling as they wanted to know if DNA from the foetal remains could be used to prosecute the rapist. The Attorney General ordered X and her parents to return to Ireland under fear of imprisonment.

<sup>11</sup> The General Post Office (GPO) is a significant, symbolic landmark and public building in Dublin city centre on O'Connell Street. People use it as a meeting point, and groups of people often assemble in front of it.

I did not understand the pictures and wondered how the people had copies of them, but I felt that abortion must be a horrible thing after seeing the images. I had not thought about these pictures or this event for years. However, when the doctor who gave me the chromosomal testing results during my pregnancy told me that I could wait for my baby to pass away or travel to the UK to have an abortion, I found that my head filled with these images. I could not think about or say the word abortion without crying and seeing these pictures in my head. While I suspected and felt that the pictures must be grossly manipulated or falsified, I found that I could not erase the violence in the images from my memory. As these were the only images I had ever seen connected with abortion, there were no other images from which my memory could draw.

I remembered the abortion class we had during my final year in secondary school before I turned eighteen. Our teacher laid out a series of images of 'aborted babies' across a counter space at the top of the classroom and invited each of us, one by one, to look at the images while the rest of us stayed seated at our desks. We were facing the counter space, watching each of our classmates' facial expressions as they encountered each of the pictures. Our teacher told us that she showed us these images because 'we needed to know the truth about abortion', stating that 'we would remember these pictures if we were to ever think about having an abortion.' As I lay in my bed at home, wondering if I would have a miscarriage or if my baby's heart was still beating, I thought about these images. I remembered the shock and disgust etched on each classmate's face as they looked at each picture. I remembered thinking that I wanted my baby, I loved my baby, but I did not want to be pregnant with a baby who could not live. I, however, could not reconcile the love I felt for my baby with the horror of abortion as it had been presented to me.

I remembered my teacher repeating the phrase 'a life is a life, and we believe that life becomes life at conception' throughout our abortion class. I thought about the illustrations that she showed us depicting the development of the foetus in the womb. I remembered looking at an image of a dot that illustrated a foetus at four- or five-weeks' gestation and wondered how this dot could be given the same value as a living human woman under the 8th Amendment. I also remember asking myself, 'but what about my life? Doesn't my life matter?' because lying in bed waiting for my baby to pass away made me feel like my life did not matter at all.

In my final year of secondary school 1999 to 2000, I remembered when I was getting my books out of my locker in school when a girl in my year turned to me and asked, 'what would you do if you found out you were pregnant tomorrow? Would you stay pregnant, or would you travel to England?' Travelling to England was the code word for abortion, as none of us would say the 'A' word aloud. The fear of abortion was so great that we could not even say the word. Her question was a test, and I knew there was only one acceptable answer. I was also aware of other people in the locker room listening to our conversation, so I answered that 'I would, of course, stay pregnant.' She nodded her head in approval. To my surprise, my friend joined in the conversation shouting: 'Are you kidding me? If I found out I was pregnant, I would be straight on the boat to England'. I still remember the collective intake of breath and the shock that seemed to permeate the locker room. 'You can't mean that' one girl cried. Other girls seemed to stand there speechless, never having heard anyone say that they would have an abortion before. As I left the locker room, I overheard some girls in my year saying that 'they had never liked my friend anyway'. I wondered, if this is the reaction they have to someone saying that they would have an abortion, what would happen if they found out someone had one? While this conversation happened many years ago when I was eighteen, I wondered what people would say if they found out I had an abortion now? Would they believe me if I told them my baby was going to die? Or would they believe some anti-abortion dogma that stated there was no such thing as fatal foetal abnormalities?

I thought about how abortion is mainly presented as a choice that a woman makes when she does not want to have a baby. I thought about how I had spent my entire twenties trying not to get pregnant, always using multiple forms of contraception. I remembered the day I decided to stop using contraception as my husband and I decided to try to conceive. We thought that we were so lucky when we found out that we had gotten pregnant and how I could never have imagined that I would have to decide to either travel to England for an abortion or to wait for my baby to pass away at some point during my pregnancy.

I remembered the recurring nightmares I had throughout my twenties. I spent the summer I turned eighteen working in the medical records office in a maternity hospital in Dublin. The room was in the hospital's basement; it was damp and dark and had a musty smell that seemed to cling to your clothes even after you washed them. While the room did have windows, they were small and narrow and positioned below the ceiling. As a consequence, the light never seemed to reach the floor below. I spent my days gathering charts for patient clinics and filing blood reports. There were so many unfiled blood reports that my manager asked me to work overtime on Saturdays throughout the summer, and still, there were boxes of unfiled blood reports when I left to start college in September. In this nightmare, I would dream that I had gotten pregnant and had to drop out of college and work in medical records, filing blood reports in the dark. In these dreams, there was always a baby crying, one that I could never find. I thought about how my pregnancy nightmare had always revolved around an unplanned pregnancy and how I stopped having these pregnancy nightmares when I finally got a permanent contract, having

previously only worked in hourly paid, insecure jobs during college and for the first few years after graduation. Ironically, I thought how, in my worst crisis pregnancy nightmare, I never imagined I would have to remain pregnant and wait for my baby to pass away or travel abroad to have an abortion.

I also thought about the silence that had surrounded abortion during my time in university in Dublin 2000-2004. I remembered sitting in the college canteen with three of my friends. We were gathered around a small table when one of my friends asked in a loud, exaggerated kind of whisper how we had voted in the referendum? We had just voted on whether or not to remove the threat of suicide as a ground for legal abortion in Ireland<sup>12</sup>. We all seemed to look over our shoulders to make sure no one was listening before revealing that we had voted against removing suicide as grounds for abortion. However, we were still afraid of drawing attention to our conversation, fearful that someone in our vicinity would hear us. I thought about how this fear we had all felt had worked to stop any pro-choice conversations about abortion between us. I thought about how this fear had served to isolate me, as I realised I did not know if my friends or family would support my decision to end my pregnancy now as I did not know if they were pro or anti-choice. I argued with myself that it did not matter what anyone thought, that I did not have to tell anyone that I had an abortion. I felt the stigma and isolation of wanting to make a decision that went against the 'Status-Quo' stories that prevailed in Irish society.

I thought about my friend who told me during our final year in college that she had travelled to the UK to have an abortion a couple of years earlier. She told me that she had travelled by herself, as she was afraid to tell anyone about her decision. She told me how her boyfriend at the time called her a murderer when she said to him that she did not want to remain pregnant and described how he had tried to stop her from leaving her house by locking all of the doors. She told me that she had climbed out a window after he had fallen asleep and contacted her older sister, as her sister knew someone who had an abortion, and she rationalised that they could help her book an appointment in a clinic in the UK. I remembered her asking me if I would still be her friend 'now that I knew what she had done', and I felt like I had failed her as a friend. I thought about how she must have felt so frightened and alone and wondered how many other women felt this same isolation. While my situation and circumstances were different, I too, had felt utterly terrified and alone.

In December 2014 there was a case of a pregnant woman referred to in the media as PP while I was still pregnant in Ireland and waiting for my baby to pass away (Herron and Power, 2015). The woman had been declared clinically brain dead, but her body had been kept alive on a life support machine because she was sixteen weeks pregnant at the time. I remember hearing this and feeling distraught. My baby was dying inside me, and I felt like part of me was dying too. Yet, there was another pregnant woman who was not allowed to die. The 8th Amendment had turned her body into an incubator and my body into a tomb. One of the midwives looking after me had started to raise concerns over my blood pressure. It had begun to rise, and she told me that there was a risk that I would develop pre-eclampsia, a life-threatening maternal condition associated with my baby's diagnosis in pregnancies that continue into the third trimester.

On 26 December 2015, the high court ruled that PP's life support machine could be turned off and that she could be buried the next day. Two weeks later, the midwife who checked my blood pressure before scanning me to check for my baby's heart-beat told my husband that she wanted him 'to keep a very close eye on me.' She said that he needed to 'monitor my face for puffiness' and 'if it started to swell or if it suddenly fell on one side that he had to bring me straight into hospital.' I remember asking the midwife, 'why would my face fall on one side?' and she said, 'if you had a stroke, that would happen.' I then asked her, 'why would I have a stroke?' She said, 'from your blood pressure and the pre-eclampsia.' I could not understand why or how this was happening. If the team looking after me thought I was at risk of developing pre-eclampsia and there was a possibility that I would have a stroke, why were they hanging around waiting for this to happen? Why would they not induce my labour now? The doctor who joined our conversation explained that they would not induce my labour until my life was actually in danger because of the 8th Amendment. They told me that this would mean I would have to have pre-eclampsia and not just high blood pressure before they could intervene.

Whilst the waiting had felt like it had been emotionally killing me, now I was afraid that my pregnancy might physically kill me too or, at the very least, seriously endanger my physical health. My baby would never be born alive, yet they would not induce my labour unless my life was actually in danger. That afternoon my husband

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<sup>12</sup> In 2001 we had been asked to vote on a bill passed in Dáil Éireann (the lower house of the Irish Parliament) on whether or not to remove suicide as a grounds for legal abortion in Ireland (The Government of Ireland (2001), Twenty-fifth Amendment of the Constitution (Protection of Human Life in Pregnancy) Bill). In 1997 there had been a case of a thirteen-year-old rape victim who became pregnant. She became known as Miss C. She was suicidal and wanted to access an abortion, and in the proceeding court case, *A and B v. the Eastern Health Board*, the judges ruled that, as Miss C is likely to take her own life, she can obtain an abortion in Ireland. The Twenty-Fifth Amendment of the Constitution is seen as a reaction to this judgement as it sought to ban abortion in every circumstance. The Amendment was defeated. For more information on this case, read Enright et al. (2017). *Northern/Irish Feminist Judgments: Judges' Troubles and the Gendered Politics of Identity*, Bloomsbury.

contacted Liverpool Women's Hospital, as I was too upset to speak. I remember hearing him on the phone with the midwife saying, 'please, you have to help us.' They gave us the earliest appointment they had available for Irish couples, which was over three weeks away. Leaving Ireland by ferry to travel to Liverpool Women's Hospital felt like a severing of ties. Looking out at the Irish coastline as we sailed across the sea to Wales, I realised that Ireland no longer felt like home. I remember thinking that the Proclamation of the Irish Republic had promised to cherish 'all children of the nation equally'. However, once I had become pregnant the only child that Ireland cherished in this context was the one that would never be born alive (Molloy et al., 1916).

## WOMEN'S STORIES TRANSFORMING UNDERSTANDING OF ABORTION

In *Freedom is a Constant Struggle* Angela Davis writes

Our histories never unfold in isolation. We cannot truly tell what we consider to be our own histories without knowing the other stories. And often we discover that those other stories are actually our own stories (in Davis and Barat, 2016: 103).

In this text, Davis describes how our own experiences and stories never unfold in a vacuum and how we cannot fully know or understand our experiences without knowing all of the other stories. She quotes the sociologist Jacqui Alexander when she states the need to 'learn your sisters' stories' and describes that this methodological approach requires us to 'constantly re-tell our stories, to revise them and re-tell them and relaunch them' (Davis and Barat, 2016: 103).

The sharing of abortion stories by women did not start during the campaign to Repeal the 8th Amendment. In fact, the Irish journalist, Mary Holland, first wrote about her own experience of having an abortion in 1983. However, the decision for her to share her story publicly was rare and remained rare in the years that followed. Over the years she received abuse and threats for doing so. More than a decade later in 1995 she wrote

It would be an enormous relief if some younger woman or women were to start writing about the issue of abortion from personal experience and leave me to the relatively easy task of analysing the peace process. Please (Ferriter, 2014).

This statement by Mary Holland, shows how she was still alone in talking about her personal experience of abortion. While other stories of abortion had been shared by brave individuals, they had mostly been shared anonymously, as seen in the publication *The Irish Journey: Women's Stories of Abortion* by Medb Ruane and the Irish Family Planning Association which was published in 2000. It was not until the campaign to Repeal the 8th Amendment that there was a collective movement of women coming together to share their stories publicly in their own names. This collective movement of women coming together to share their stories was different to anything that had come before.

During the campaign to repeal the 8th Amendment, both I and the women I campaigned with in Termination for Medical Reasons (TFMR), constantly told and re-told our stories to reveal the many ways the 8th Amendment had impacted our pregnancies. The silence surrounding abortion and fatal foetal abnormalities meant that people did not believe that you could get told during pregnancy that your baby would die before we started sharing our stories. Smyth (2015: xi) states in her chapter 'Above and Beyond the Silence' that the silence that surrounded the topic of abortion within Irish society paraphrased it out of existence. At the same time, Hill Collins (2008) argues *In Black Feminist Thought* that if something does not exist, it cannot be believed, meaning that if we do not see or write or talk about something we cannot imagine it. The secrecy surrounding abortion meant that most people, including myself, could not have imagined a situation where a woman in Ireland would be forced to continue with an unviable pregnancy, especially when the life of the mother was at risk. While others may have believed that this could happen, the rhetoric was that this only happened in very exceptional circumstances so there was no need to legislate for it.

During the campaign to repeal the 8th Amendment, the No side of the campaign constantly referred to our experiences as 'hard cases', continuously stating that fatal foetal abnormalities only happen in exceptional circumstances, hence, they were not a reason to repeal the 8th Amendment. On 14 May 2018, Claire Byrne hosted a referendum debate special on RTÉ. The panellists from the No side consisted of a representative of the Iona Institute (an ultra-conservative Roman Catholic organisation), a retired obstetrician who had campaigned vigorously for the insertion of the 8th Amendment into the Constitution in 1983 and an anti-abortion Fianna Fáil politician. Never having experienced a pregnancy with a diagnosis of fatal foetal anomaly themselves, their religious beliefs, opinions and views were considered more important than the lived experiences of women sitting in the audience who were not allowed to speak. Commenting on this afterwards, Gaye Edwards stated, 'It was difficult

to be talked about when we were in the room' (Duffy, 2018). Claire Cullen Delsol also said that it felt 'dehumanising' to have our experiences talked about by others in that way (MacNamee, 2018).

It was exceptionally difficult to have my personal experience debated by outsiders casting judgement on the decision that I made to end my pregnancy. However, the experience of sharing my story with other women reinforced my belief in the importance of sharing my lived experience. Every time I told my story publicly, a woman would contact me afterwards. Often she would say to me that 'my story could have been her story and that I had described everything she had felt but had not been able to say'. Other women would contact me and tell me that 'they had felt totally alone until they read my story, and now they no longer felt this way'. These are some of the reasons why I kept telling and re-telling my story for the women who, like me, had felt totally alone. I realised that my story was also their story and I told it for the women who could not yet tell their story. As the campaign progressed, people contacted me to tell me that their family members, friends or colleagues were going to vote No, until they read, heard or saw my story. They would explain how they had told their family member, friend or colleague, that they knew me personally and how this had caused them to believe my story and decide to change their mind about abortion. For me, sharing my story created a space for people in my life to talk about abortion with me and in most instances, it created a space where they got to let me know that they loved and supported me, and many of them started to campaign with me.

In *Light in the Dark*, Anzaldúa (2015: 6) writes that it is through stories that you come to understand and know yourself and make sense of the world, that through narrative you formulate your identities by unconsciously locating yourself in social narratives, not of your own making.

The women and I in TFMR shared a new kind of abortion story, an abortion story that had not been publicly broadcast in Ireland before. Our stories located abortion firmly within the world of maternity. The complexities within our stories positioned abortion as a decision that a mother makes when caring for her baby, as a decision a mother makes when taking responsibility for the medical care of her baby, a decision a mother makes to ensure that her baby does not feel any pain or suffer unnecessarily, a mother's choice when she needs to look after her own physical and mental health and wellbeing. Our stories of abortion existed in the cracks, hovering on the borderlands of abortion, mothering, loss love and self-care. These stories offer new perspectives on abortion and transformed understandings of abortion in Ireland by existing within these borderlands.

Anzaldúa (2015) writes that sharing stories can be transformative on personal and societal levels and likens this story-telling to an act of witnessing and states that it allows others to see recurring patterns, recurring traumas and recurring oppressions. She proposes that we can repair that damage done to ourselves through the act of speaking and re-imagining alternatives. Sharing my story with the other women in TFMR and witnessing their stories enabled me to re-imagine a new world and locate myself and my story within it. In this new world, abortion for me came to represent love, loss and mothering.

## CONCLUSION

In *Light in the Dark*, Anzaldúa (2015: 1) quotes Barret when she states

There's something epistemological about story-telling. It's the way we know each other; the way we know ourselves. The way we know the world. It's also the way we don't know: The way the world is kept from us, the way we're kept from knowledge about ourselves, the way we're kept from understanding other people.

I have re-told parts of my story in this paper to reflect on how the one-sided 'Status-Quo' stories that surrounded abortion healthcare in Ireland impacted my pregnancy. Abortion as I knew it was only ever presented as something wrong or a decision that women made when they did not want to have a baby. The 'Status-Quo' stories were also propaganda, designed to impose an ideological perspective by intimidation in the Roman Catholic primary and secondary school that I attended.

The silence surrounding abortion suppressed all other alternative abortion narratives or stories, seemingly out of conceptual existence. I have reflected on how the silence, when it came to abortion in Ireland, was for the most part a one-sided silence. The vacuum of information on or about abortion from a pro-choice perspective was filled with anti-abortion dogma. The dogma made any other conversations about abortion impossible, meaning that most women were afraid to share their experiences of abortion. In *Sister Outsider*, Lorde (1984: 42), states that, in 'the cause of silence, each of us draws the face of her own fear—fear of contempt, of censure, or some judgment'. Reflecting on this in relation to my own experience, the silence surrounding abortion isolated and immobilised me. It was the silence that left me waiting for so many weeks, unable to move forward and make a decision about my pregnancy. After my pregnancy and the loss of my daughter, I felt like I had lost part of myself. The sharing and



re-sharing of my story with the women in TFMR enabled me to move through the trauma and rebuild myself (Anzaldúa, 2015: 10). Together, I believe our stories shared during the referendum transformed understandings of abortion on both personal and societal levels.

The image that I discussed at the start of the paper titled 'Maternity Bag' (Figure 2) details the items that I packed in my maternity bag when I travelled to Liverpool Women's Hospital where my daughter was still born after a compassionate induction of labour<sup>13</sup>. The image titled 'Family Portrait' (Figure 1) is an image of my husband, my daughter Rose and I after she was still-born in Liverpool Women's Hospital. Together they place abortion in the world of maternity, family, loss and love. Together with this essay, they challenge the dominant abortion narratives and visuals that have prevailed in Ireland and create a space to transform our understandings of and about abortion.

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## 'Fix Her Mistake': Abortion and Parenting Narratives in *Jane the Virgin*, *Riverdale*, *Pretty Little Liars*, and *The Fosters*

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### ABSTRACT

Recognising the impact that fictional stories can have in shaping viewers' beliefs about abortion in the United States, I analyse unplanned pregnancy storylines in four popular television shows (*Jane the Virgin*, *The Fosters*, *Riverdale*, and *Pretty Little Liars*) with large young adult and adolescent audiences to critique how this issue is contextualised for this specific viewing demographic. The unintended pregnancy of each character is part of a larger, complex, and highly dramatic storyline that includes sex outside of a monogamous relationship, murder, rape, and forced or accidental insemination. Additionally, dialogue in two of the four shows does not include the word 'abortion'. Pregnancy is shown as a punishment for bad behaviour in all four shows. Lastly, three of the five (60%) characters decide not to have an abortion, challenging the findings of current research where abortion is the most frequent pregnancy outcome. These findings imply that shows with large adolescent and young adult viewing audiences are more likely to show adolescent and young adult women choosing parenting over abortion, while simultaneously supporting and challenging existing research on abortion portrayals in television shows.

**Keywords:** abortion, abortion stigma, teen television shows

### INTRODUCTION

In 1962, *The Defenders* was the first American television program to include an abortion plot (Sisson, 2017). Subsequently, abortion portrayals have appeared in various films and television shows; however, these portrayals often do not accurately reflect the experiences of American women. It is only recently that abortion narratives have appeared outside of the drama genre (Sisson and Kimport, 2014), prompting researchers to ask:

what is the narrative purpose of any abortion depiction, and how do different genres contribute to a range of purposes? (Sisson, 2017: 1)

To help answer this question, I examine abortion narratives in four television shows (*Jane the Virgin*, *Riverdale*, *Pretty Little Liars* and *The Fosters*) on *The CW* and *Freeform* (both American broadcasting networks with large adolescent and young adult audiences) in order to understand how this highly controversial and divisive issue is presented for this specific viewing demographic. This is a feminist narrative that focuses on the individual abortion experiences as expressed by the women and adolescent girls in the shows included in this study, all of which are based in the United States. Narrative stories, according to Creswell and Poth (2018), 'occur within specific places or situations,' making temporality 'important for the researcher's telling of the story within a place' (Creswell and Poth, 2018: 69). Such contextual details, they add, 'may include descriptions of the physical, emotional, and social situations' (Creswell and Poth, 2018: 69), as illustrated in this study of abortion narratives. According to Mann, second wave feminists' support of abortion became one of the 'most contentious political issues in the second half of the twentieth century,' noting that 'these heated political battles over reproductive rights continue to be waged today' (Mann, 2012: 73).

In the United States, abortion is a highly contested procedure in healthcare, despite its legality. According to Andaya and Mishtal, women's rights to legal abortion are 'now facing their greatest social and legislative challenges since its 1973 legislation' (Andaya and Mishtal, 2016: 40) of the landmark *Roe vs. Wade* decision. In the United States, abortion is commonly treated differently than other medical procedures, and providers must routinely comply with legal obligations that go beyond standards of professional ethics and practice (Sedgh et al., 2012),

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making safe, affordable, and accessible abortion difficult to obtain. Individual states can pass laws that restrict access to abortion and include mandatory waiting times, biased counselling, and public funding restrictions. While first trimester-induced abortion is not unusual for women in the United States with nearly one in four women seeking this form of healthcare by the age of 45 (Jones and Jerman, 2017), access to this legal form of healthcare is heavily restricted in many states. Restrictive abortion laws may contribute to and reinforce abortion stigma, furthering negative public perception about abortion providers (Britton et al., 2017; Harris et al., 2011; Kumar et al., 2009)<sup>1</sup>, and stigmatising the patients that seek abortion procedures (Cockrill and Nack, 2013; Cockrill et al., 2013).

Abortion stories are not uncommon in American media and, in 2019, there were at least two dozen characters in streaming shows, movies, and television that ‘have had or talked about having abortions, many unapologetically’ and this, according to Buckley (2019), ‘would have been unthinkable a decade ago (n. p.)’. Abortion scenarios frequently exaggerate negative outcomes for the characters seeking abortion healthcare and do not accurately represent who is accessing it regarding race and age (Kost et al., 2017; Sisson and Kimport, 2016). Previous research indicates that television shows overrepresent young, white, nulliparous women seeking abortion care (Kost et al., 2017; Sisson and Kimport, 2014, 2016; Sisson and Rowland, 2017). In a study of 415 onscreen abortion plotlines between the years 2005 and 2014, Sisson and Kimport (2016) found that 78 plotlines occurred in the past 10 years, 25 of the characters who considered abortion were under the age of 20, and 13 characters that did obtain an abortion were under the age of 20, making this age group the most likely to have an abortion procedure. In their study, more than half of the characters considering an abortion procedure obtained one, making it the most frequent outcome (Sisson and Kimport, 2016: 447), indicating that abortion on television is more common than in film. While many of the shows analysed in the current research feature young adult and teenage characters, these characters do not exclusively appear on television shows with large adolescent and young adult viewing audiences. Genre, according to Sisson, should be considered when analysing abortion narratives on television shows, as these portrayals will vary based on several factors including ‘presumed audience, the willingness of broadcasters to present controversial content, and the intent and knowledge of the creator’ (Sisson 2017: 1-2). Thus, young adult and adolescent viewers may be subjected to different portrayals of abortion narratives than shows written for adult audiences. Additionally, adolescent and young adult viewers may rely on television shows in order to inform their ideas about abortion, which often provide ‘(mis)information’ about the procedure and can influence the experience of patients seeking abortion care (Kimport et al., 2012; Kumar et al., 2009; Sisson and Kimport, 2014; Sisson and Rowland, 2017). Condit argued that in America, ‘prime time network television has been the most widely accessed cultural medium’, positing that its examination

is therefore essential to understanding the ways in which public, explicitly political discourse made the crucial transition into the cultural vocabularies of everyday life (Condit, 1990: 123).

Shows such as MTV’s *16 & Pregnant* (2010), *Big Mouth* (2018) and *13 Reasons Why* (2019) depict young women negotiating unplanned pregnancy and abortion, suggesting that various programs are addressing abortion in the wider television landscape.

Prior research has described how the media can affect beliefs about abortion, which is often more stigmatised than other reproductive experiences (Cano and Foster, 2016; Cowan, 2017; Sisson and Kimport, 2014, 2016; Sisson and Rowland, 2017). As of 2021, 39 states mandate sex education and/or HIV education, while only 18 states require program content to be medically accurate (Guttmacher, 2021), therefore, adolescent and young adults may learn more about abortion through television show portrayals than in their classrooms. With few requirements addressing medical accuracy in sex education in the United States, adolescents and young adults may be subject to the stigmatising silence, misinformation and reproduction of social myths that often surround abortion experiences (Ludlow, 2008; Sisson and Kimport, 2014). Due to the controversy surrounding abortion, silence surrounding this procedure is common (Cano and Foster, 2016; Cowan, 2017; Sisson and Kimport, 2014, 2016; Sisson and Rowland, 2017), making abortion themes on television shows necessary to critique despite the falling rates of abortion in the U. S. (Guttmacher, 2018). Evidence shows that the teenage birth rate in the United States has declined by 41% between 2006 and 2014 however, unintended pregnancy and abortion are still popular storylines in television shows and may lead to the belief that teen pregnancy rates are increasing, not decreasing (Romero et al., 2016). While previous research on the topic of abortion in television shows has acknowledged many problematic trends including an overrepresentation of death and other negative health outcomes for women seeking abortion care, my primary goal is to narrow this focus to shows with large adolescent and young adult viewing audiences to provide a deeper exploration of abortion themes in U.S. television shows on *The CW* and *Freeform* networks.

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<sup>1</sup> See Shara Crookston (2020) for a more detailed description of abortion restrictions in the United States.

## POST-FEMINISM AND CHOICE RHETORIC

Each abortion narrative in this study makes use of post-feminist rhetoric, specifically the rhetoric of choice. Post-feminism, states Ochsner and Murray (2019: 714), 'is not a specific stance, but rather, an object of analysis in culture'. Post-feminism, according to Angela McRobbie (2009), is criticised as being where the aims of feminism are perceived as being achieved and are therefore no longer relevant. Women, states post-feminist narratives, are equal entities with men, and if they experience oppression, this oppression is self-imposed. McRobbie (2009) includes a critique of how feminism's influences on daily life are taken for granted, while being simultaneously integrated within political and institutional life. Feminist language such as 'empowerment' and 'choice' are, states McRobbie (2009: 1), 'converted into a much more individualist discourse' so that this language becomes a kind of 'substitute for feminism'. Gill (2016: 619) asserts that ideologically, gender equality is supported as a 'cheer word, a positive value' that is empty of any reference to politics and 'does not necessarily pose any kind of challenge to existing social relations.' Post-feminism, then, is a 'sensibility' that consists of themes that include a pronounced individualism, an emphasis on choice, freedom, agency, and the emergence of the beauty-industrial complex (Gill, 2016). Post-feminist narratives of choice appear in the shows analysed in this study by rarely addressing the structural issues that prevent patients from accessing abortion and the challenges young and single mothers experience. Hoerl and Kelly (2010: 361) posit that

within a post-feminist paradigm, the meaning of choice is inverted such that even a woman's decision to reclaim her traditional gender roles is coded as a feminist expression of agency.

These discourses, they argue, 'tend to ignore the material barriers to economic advancement that many women, including single mothers, face', making 'the application of choice in post-feminist discourse bifurcates work and family as an either/or option in which women may choose one or the other, but are destined to fail if they attempt both' (Hoerl and Kelly, 2010: 361-362). In post-feminist media that encourages women to consider both children and work, unplanned pregnancy is reframed as women's liberation (Hoerl and Kelly, 2010: 362), as shown in *Pretty Little Liars*, *Jane the Virgin*, and *Riverdale*.

## ABORTION PLOTS IN *PRETTY LITTLE LIARS*, *JANE THE VIRGIN*, *RIVERDALE* AND *THE FOSTERS*

The sample plotlines under analysis were restricted to four television series with abortion storylines that aired in the United States on *The CW* and *Freeform* networks in 2016 and 2017. Geraghty (1981: 10) differentiates between the continuous serial and the series, stating that the series deals with 'a particular story within a discrete episode', has a set number of episodes and "disappears" for several months each year. All the shows selected for discussion in this study are categorized as series, based on Geraghty's definition. *Jane the Virgin* (*The CW*), *Riverdale* (*The CW*), *The Fosters* (*Freeform*), and *Pretty Little Liars* (*Freeform*) are relevant to this project as all shows are popular with females in the 12-18, 18-24, and/or 18-49 age ranges. All four shows feature teenage characters still in high school (*Pretty Little Liars* seasons 1-6.5, *Riverdale*, and *The Fosters*) or young adult women in their early to mid-20s (*Jane the Virgin* all seasons, and *Pretty Little Liars* seasons 6.5 and 7). All shows are part of the 'teen drama' genre that became popular in the 1990s and have become favoured on network and cable television programming in recent years (Kelly, 2010). *The WB* (currently *The CW*) according to Wee (2010: 146), was characterized as a 'teen' network (12-34 year olds) and regularly featured teen characters negotiating coming-of-age rites of passage with 'intelligence, sensitivity, and knowing sarcasm'. *Freeform* (formerly *ABC Family*) is a subsidiary of Walt Disney Television that focuses on programming that appeals to adults between the ages of 14 and 34 (Steinberg, 2014) and includes shows such as *Greek* and *The Secret Life of the American Teenager*. In this study, teen drama was defined as hour-long, prime time television programs where most of the storylines feature teenage or young adult characters and whose viewing audience is overwhelming adolescent and young adults (Kelly, 2010). To be eligible for this study, shows had to meet the following criteria: (a) The shows were hour-long dramas aired during primetime, (b) most of the characters are teens (ages 13-19) or young adults (early to mid-20s) and (c) at least one unplanned pregnancy storyline takes place over many episodes. Storyline was defined as a series of related events that unfold over many episodes. Storylines addressing abortion portrayed a main or recurring character considering abortion, having an abortion, or being pressured into having an abortion by a family member or partner.

Season one of *Riverdale* (2017), which was loosely based on the popular *Archie* comics which started in the early 1940s, averaged 1 million viewers while season two more than doubled this number with 2.33 million total viewers. In addition to leaping 140% with women under age 35 and increasing by 476% with teens, *Riverdale* was the network's highest rated telecast in the teen demographic in five years (Adalian, 2017; Andreeva, 2017; Mitovich, 2017). This mystery series follows a group of four friends led by musician/athlete Archie Andrews as they navigate



their high school landscape while investigating the recent disappearance of a classmate, Jason Blossom. Part of season one's mystery involves Betty's older sister Polly (also a high school student), a recurring character, and her secret relationship and subsequent pregnancy with her recently murdered boyfriend, Jason Blossom. Polly is sent away to a convent to hide her pregnancy and her parents pressure her to give her twin babies up for adoption. In *Riverdale*, the controversy surrounding Polly's unplanned pregnancy takes place in episodes 6 through 8 in season 1.

*Pretty Little Liars* (2010-2017) maintained a steady viewership of over 2.5 million viewers over seven seasons and stands as the second most watched show on *Freeform* (formerly *ABC Family*), garnering 1.2 million female viewers aged 12-34 (Baron, 2015). In addition to the impressive viewership *Pretty Little Liars* has maintained, the show's actresses are extremely popular on Instagram: Ashley Benson, who portrays Hanna Marin, has over 19 million followers, while Lucy Hale, who plays the role of Aria Montgomery, has over 22 million fans. The television series, based on Sara Shepard's young adult mystery book series of the same name, follows the lives of four high school friends who are stalked by an anonymous character named 'A', who appears shortly after queen bee leader and resident mean girl Alison DiLaurentis disappears. In the seventh and final season, Alison, now in her early 20s, discovers she has been raped and forcibly inseminated while in a mental hospital. Several episodes are dedicated to her decision-making process, where she ultimately decides to parent instead of abort. Episodes 10-15 in season 7 of *Pretty Little Liars* were analysed for this essay.

*The Fosters* (2013-2018) is a drama series known for its progressive storylines that include a bi-racial, lesbian couple raising a houseful of foster and biological children of varying sexualities and racial identities. The show premiered on *ABC Family* (now *Freeform*) in 2013 and regularly addresses issues such as racism, homophobia, and sexual health. The show averaged 1.68 million viewers in the first season, winning a *Teen Choice* award for breakout TV show in 2013 and two *GLAAD* media awards in 2014 (IMDb.com). The 2017 winter premier ranked as the network's number one telecast for females ages 12-34 (Multichannel News 2017). Emma, a 16-year-old high school student and recurring character on the show, has an abortion in season four. Her abortion plotline in *The Fosters* and the aftermath of her choice spans several episodes and two seasons: season 4, episodes 14-20 and season 5, episodes 1 and 4, by far the most screen time in this sample spent discussing abortion.

Lastly, *Jane the Virgin*, a comedy-drama based loosely on the Venezuelan telenovela *Juana la Virgen*, is one of the few shows on television featuring a predominately female, working class, Latina cast, with one character who rarely speaks English and is an undocumented immigrant. The show is set in Miami, Florida and often uses tropes and devices found in Latin telenovelas such as the love triangle, the lost sibling, and the evil mother/stepmother as part of its plotlines. In the series' pilot, the eponymous mid-20-year-old Jane, who identifies as a virgin (e.g., has not experienced penis/vagina penetration) is accidentally artificially inseminated during a routine pap smear when she falls asleep on the exam table while waiting for her gynaecologist. The series revolves around Jane negotiating a very unplanned pregnancy while trying to meet her career goals and maintain a romantic relationship. Additionally, Jane's mother Xiomara has an abortion in season three, making *Jane the Virgin* the only show in this study to feature both abortion and parenting plots. *Jane the Virgin* (2014-2019) has a similar viewership as *The Fosters* (1.6 million viewers in the key 18-49-year-old demographic) and has been nominated for an abundance of awards: including a Golden Globe win for actress Gina Rodriguez as the title character Jane (Hamedy 2014; IMDb.com). In *Jane the Virgin*, season 1, episode 1; season 2, episode 22; and season 3, episode 2 were viewed and analysed.

Four themes emerged from this narrative study: the word abortion is rarely used; pregnancy is portrayed as punishment; friends, lovers, and family support parenting and shame abortion; and the 'good' mothers choose parenting.

### **The Word 'Abortion' is Rarely Used**

The word 'abortion' is rarely used when the characters in the shows analysed for this study face unplanned pregnancies. Phrases such as 'fix her mistake', 'appointment with a doctor', 'options', and 'make a decision' are substituted instead. *Pretty Little Liars* describes the medical abortion procedure in season 7 by Alison, a young woman in her early 20s. Alison tells her best friend (and later fiancée) Emily that she has made an appointment to terminate her pregnancy to 'gain control of her life' after several traumatic incidents with her now ex-husband. When Emily inquires about her appointment, Alison states that she will take the 'first pill at the clinic this weekend and the next one at home a few days later', describing a medical abortion without using the term 'abortion'. In an act of support and solidarity, Emily offers to drive Alison to the clinic, reassuring her friend that she doesn't have to explain why she is terminating her pregnancy. When using the term 'terminate the pregnancy', Alison encourages a more forthright discussion of abortion—however, 'abortion' is not used, thereby contributing to the stigmatizing silence around this word (Shaw, 2016).

When Jane in *Jane the Virgin*, a woman in her early 20s, discovers she has been accidentally inseminated during a routine pap smear, she discusses her options with her family and boyfriend, and the phrases used include 'you don't have to have a baby', 'end the pregnancy', and 'having a choice'. Jane's grandmother Alba, a devout Catholic, uses the term 'abortion' when telling her granddaughter that she encouraged Jane's mother to have an abortion

when she became pregnant at age 16 and expresses the regret that she has carried from the encounter many years later. Jane is surprised to learn that her grandmother pushed her mother to have an abortion given her religious convictions. Furthermore, Jane believes that her mother Xiomara had her as a teenager because Alba ‘made her’ and Xiomara has never corrected this inaccuracy, likely to protect the relationship between grandmother and granddaughter. In reality, Xiomara never wanted to have an abortion and is ‘glad’ she had Jane. Alba’s admission that she encouraged her daughter to have an abortion allows Jane to more clearly understand her grandmother’s insistence that she parent and speaks to the ambiguous and complex relationship some people of faith have with abortion. This confession adds to a more nuanced, progressive discussion of how abortion is navigated for the characters in the series and provides a diverse set of abortion ideology. Alba tells Jane that she has been the ‘best part of [her] life’ and is grateful that her daughter did not follow her request to abort. Alba assures Jane that this baby will become the best part of her life, furthering Jane’s indecision. It is important to note that Jane does not use the word abortion when referring to her pregnancy. Jane’s decision to parent communicates deeper ideas about her character, including her piety, purity, and maturity (Sisson, 2017), that closely align with her Catholic convictions. *Jane the Virgin* is the only series in this study that openly discusses the complicated relationship between religion and abortion, adding an additional layer of complexity to how abortion narratives are shown on television.

In *Riverdale*, high school cheerleader Polly reveals that her father “made an appointment with a doctor” so that she would not have to ‘live with her mistake’, when facing an unplanned pregnancy. Thus, in *Riverdale*, *Jane the Virgin* and *Pretty Little Liars*, young women don’t have an ‘abortion’ when facing an unplanned pregnancy: rather they contemplate ‘terminating a pregnancy’ or ‘make an appointment with a doctor’, so that they don’t have to ‘live with their mistake’, before ultimately choosing to parent, regardless of circumstance. Silence as furthering stigma is an attitude held by some who work in the reproductive rights industry who believe that using the word ‘abortion’ is critical in de-stigmatizing this procedure<sup>2</sup>.

*The Fosters* and *Jane the Virgin* feature characters with ‘pro-abortion stories’ who choose abortion over parenting (Condit, 1990), challenging the trend of anti-abortion narratives seen in *Riverdale*, *Jane the Virgin*, and *Pretty Little Liars*. While both shows are challenging existing norms of what is commonly seen on television regarding abortion themes, ethnicity, and family systems, the way abortion is presented in each show indicates only a subtle improvement over *Riverdale*, *Pretty Little Liars*, and *Jane the Virgin*.

When high school student Emma, a recurring character on *The Fosters*, becomes pregnant, she chooses abortion. She is the only white character in this cadre of shows that chooses to abort, indicating that white parenting is favoured in shows with this viewing demographic. Emma’s narrative of choice is

the generic subject of liberal feminism: the white, middle-class and...conventionally feminine citizen whose ‘key value in this discourse is the right of the individual to choose (Baird and Millar, 2019: 1119).

Interestingly, the word ‘abortion’ is not used until several episodes after the procedure. Phrases such as ‘doing this’ and ‘I support your right to make your own decision’ are substituted. This treatment is again stigmatising the word ‘abortion’ by substituting a less controversial euphemism. In *The Fosters*, Emma is not a main character—appearing in approximately 52 episodes as opposed to other characters that appear twice as frequently, and is the sometimes girlfriend of a main character, Jesus. Similarly, in *Jane the Virgin*, Xiomara is a prominent character on the show, but is not the title character. She is a mother in her 40s who has already fulfilled her reproductive role as Jane’s mother, and is not interested in raising another child. In *Jane the Virgin* the term ‘abortion’ is not used until several episodes (and a new season) later when Xiomara discloses her own abortion to her daughter Jane and son-in-law. Both examples reinforce the trend that main characters in television shows with this specific demographic are less likely to have an abortion, while supporting or recurring characters do. This trend complicates Gretchen Sisson and Katrina Kimport’s (2016: 447) findings that most onscreen abortions (60%) were not obtained by ‘peripheral or single-episode characters’, but rather main characters, making abortion the ‘most frequent pregnancy outcome’. Out of the five characters that consider abortion on the four shows analysed, only two have an abortion (40%) and neither are main or title characters, indicating a significant shift in pregnancy outcomes for shows in this genre. This finding also suggests that television shows that have large adolescent and young adult audiences are more likely to show parenting as a favourable alternative to abortion, whereas abortion is an option only taken by supporting characters whose stories may not be as central to the series as those of title characters.

Gretchen Sisson and Katrina Kimport (2016: 450) call for an exploration of ‘the creative processes behind abortion plotlines’ as well as an interrogation of structural forces that may impact the way abortion is portrayed in television. Another possibility for main characters choosing parenting over abortion for this viewer demographic could be writers’ fears of alienating their core audience should a main character choose to have an abortion (Sisson and Kimport, 2016). It is worth considering how adolescent and young adult viewers may react to a popular main

<sup>2</sup> See Maureen Shaw, *Language Matters: Why I don’t Fear Being Called ‘Pro-Abortion’* (2016), for a discussion of the importance of language in abortion discourse.

character having an abortion, which may be considered immoral and controversial to some, and the impact this may have on viewership figures and advertising income for the channel. Potential parental or religious outrage may also contribute to writers shying away from including abortion in their plots. Lastly, both shows use the term ‘abortion’ only a handful of times and not until well after the procedure has taken place, following the same trend as *Riverdale* and *Pretty Little Liars*, and leaving one blogger to ask, ‘why won’t anyone say abortion?’ (Puchko, 2017).

### **Pregnancy as Punishment**

The trend of pregnancy as punishment plays out in various ways in all four shows. In *Pretty Little Liars* and *Riverdale*, pregnancy takes place as a result of complex, dramatic events that include forcible insemination and rape, stalking, and a forbidden relationship. In *Pretty Little Liars*, Alison’s forced insemination and rape are one of the last results of an almost 10-year ordeal of being stalked, kidnapped, and tortured by anonymous ‘A’, starting when she went missing for several years while in high school. As the ‘mean girl’ of her small town, Alison was hated by many of her classmates for her relentless bullying and now she is subject to their revenge. In a bizarre example of pregnancy as punishment, Alison is forcibly impregnated with her best friend’s fertilised eggs while being held against her will in a mental institution by her doctor/husband. It is only after Alison realises she is pregnant and completes a paternity test that she starts to have flashbacks of being drugged and surgically inseminated during her incarceration. Her initial decision to have an abortion is framed as a way for her to regain control over her life and body after this has been taken away. Alison’s problematic pregnancy is an extreme example of reproductive coercion, rape, and a lack of bodily autonomy. Her assault goes largely unacknowledged in the storyline, further contributing to unclear ideas of consent, rape, and reproductive coercion—issues that many American women have experienced (Coker, 2007; Jackson et al., 2016; Joffe and Parker, 2012; Price, 2011; Roberts, 1998).

Polly in *Riverdale* is punished in several ways for her disregard of her parents’ rules: she experiences an unplanned pregnancy that starts a chain of unfortunate events, including the murder of her boyfriend and her forced incarceration in a ‘home for troubled youth’. Polly’s parents pressure their daughter to give her much-wanted babies up for adoption after she refuses to have an abortion, implying that a teenage girl has little power over the trajectory of her life if she becomes pregnant and has disapproving parents. Polly is now a member of the ‘bad girl tribe’ [Club] of ‘fallen women’, for having sex outside of marriage and becoming pregnant (Cockrill and Nack, 2013: 975). This has led to her current predicament where she is seen as ‘deserving stigma because of [her] own personal failings’ (Cockrill and Nack, 2013: 975), and she must negotiate this shame on her own.

Jane’s story complicates the trend of pregnancy as punishment for bad behaviour but does not disrupt it completely. As Jane is the daughter of a teenage mother, Jane’s grandmother instilled the notion of virginity until marriage in her granddaughter, exemplifying Carpenter’s (2005) metaphor of ‘virginity as a gift’ by using the example of a magnolia blossom being crushed in her hand. Jane has decided not to have sex with her long-term boyfriend until they are married, establishing her virginal status for viewers within the first few minutes of the pilot episode. When Jane becomes pregnant, she states that she has done ‘everything right’, yet she still ends up pregnant and unmarried, like her mother, who was ‘irresponsible’ when she got pregnant with Jane as a teenager. Furthermore, Jane’s fiancé Michael asks her to have an abortion so that they don’t have to start their life together raising ‘some other guy’s kid’, insinuating that he may end their relationship if Jane chooses to remain pregnant. Jane must consider how remaining pregnant will impact her graduate studies, her job as a waitress and her goal of becoming a romance writer. Should she choose abortion, Jane will have to contend with her grandmother’s disappointment and compromising her own religious beliefs. Jane is being punished as both options available to her are fraught with additional consequences, including the potential loss of a romantic relationship, the love, approval, and respect of her grandmother, and a dramatic altering of her carefully planned life and career goals. Jane is the only character in this study who comes from a working-class background and has to consider how being pregnant and eventually a mother will alter her precarious socio-economic status, challenging post-feminist ideas of equality (Hoerl and Kelly, 2010). For Jane (like many working-class women themselves), the stakes of this very unplanned pregnancy are especially high.

In a departure from *Pretty Little Liars*, *Riverdale* and Jane’s story in *Jane the Virgin*, when Emma and Xiomara become pregnant, they choose abortion instead of parenting, thereby turning their backs on redemptive parenting, and confirming their membership in the ‘tribe [Club] of fallen women’ that Cockrill and Nack (2013) discuss. In *The Fosters*, Emma’s pregnancy is a result of her on-again, off-again sexual relationship with Jesus, which resulted in her unplanned pregnancy after a birth control pill failure. Thus, *The Fosters* depicts a white teenage girl having an abortion instead of choosing adoption or parenting, challenging the dominant narrative in other television shows with large adolescent and young adult audiences that favour white teen and young adult parenting as seen in *Pretty Little Liars* and *Riverdale*. Emma states that she was not ready to be pregnant, have a baby and either parent or give the baby up for adoption and have her life goals derailed. Emma hides her abortion from Jesus, shouldering all the emotional and financial responsibility for her choice and does not consider his opinion in her decision-making process, which later contributes to their break-up. Emma has few people she can confide in, and her secrecy is an

example of felt or anticipated stigma (Cockrill and Nack, 2013), as she is concerned with the reactions of others and therefore, keeps her abortion confidential. When her abortion is revealed without her consent, Emma must contend with the high school rumour mill and Jesus' anger at not being included in her decision to have an abortion. The implication is that if a high school girl chooses abortion over parenting, she will be subjected to her friends' and lovers' feelings of betrayal and anger and they may abandon her, as illustrated in Emma's story.

Similarly, Xiomara in *Jane the Virgin* reveals at the end of season two that she became pregnant as a result of a one-time sexual encounter. In several instances, the unmarried Xiomara proclaims that she enjoys and desires sex which is in sharp contrast to her own mother who routinely states that sex is only acceptable within the confines of marriage. Throughout the series, Xiomara is adamant that she does not want more children and never wavers in this decision. Viewers find out later that Xiomara had a medical abortion, but she is not shown going through the procedure, which keeps abortion at a safe, antiseptic distance from viewers. Several bloggers applauded the show's writers for 'crafting the perfect abortion story line' where 'Xo has a chill abortion' and is not 'tortured' by her decision (Bradley, 2016; Dries, 2016), which is a new trend toward normalising depictions of abortion (Baird and Millar, 2019). While Xiomara's confidence in her decision to abort more closely reflects women's abortion experiences outside of television (Foster et. al., 2012), this scenario is not without fault. In season four of *Jane the Virgin*, Xiomara is diagnosed with breast cancer. While there is no direct connection made to Xiomara's breast cancer and her abortion in the previous season, anti-abortion organisations across the United States have attempted to mislead women into believing that the two are connected, despite many respected and established medical organisations disproving this assertion (American Cancer Society, 2014). Xiomara's breast cancer can be seen as another example of exaggerated abortion-related health risks that are commonplace in television shows featuring abortion plots that often include the death of the woman seeking an abortion in about 5% of shows, which is about 7,000 times the actual mortality rate (Sisson and Rowland, 2017).

For Emma and Xiomara, abortion can be one of several 'multiple transgressions' for women, including sex without the desire for procreation and an 'unwillingness' to parent (Cockrill and Nack, 2013: 975). Both are punished for their sexual activity, implying that it is promiscuous women that seek abortion care. Conversely, Jane, Polly and Alison 'take responsibility' by falling into the ultimate womanly act of mothering and can become members of the 'good girls/wives/mothers' tribe' [Club] that affords a higher status (Cockrill and Nack, 2013: 975) and 'both promote and reflect conservative family values that insist on women becoming mothers in order to live valuable or happy lives' (Oliver, 2012: 11). In sum, Emma and Xiomara's narrative arcs serve as cautionary tales to viewers about the dangers of having sex outside of a monogamous relationship.

### **Friends, Lovers, and Family Support Parenting and Shame Abortion**

Sceptical friends and family members eventually come to a place of support for the young mothers facing unplanned pregnancies, however, this support is more difficult to find when she chooses abortion. In *Pretty Little Liars*, Emily and Alison weigh the pros and cons of raising a child together for two episodes. Friends express their unwavering support in whatever the two decide to do, even though the circumstances surrounding the pregnancy are highly problematic. Similarly, in *Riverdale* family members eventually come together to support Polly in her decision to parent. Unsurprisingly, it is Polly's parents who exhibit the most shame about their young daughter becoming pregnant and they are the last ones to accept her. Jane's unique predicament leaves her open to many different opinions from those around her. In an example of felt or anticipated stigma that 'encompasses her assessment of others' abortion attitudes, as well as her expectations about how attitudes might result in actions' (Cockrill and Nack, 2013: 974), Jane does not tell her grandmother she is pregnant, knowing that she will be disappointed and encourage Jane to parent. Predictability, when Alba eventually discovers Jane's pregnancy, she encourages Jane to raise the baby noting that their 'faith is being tested' with this complicated state of affairs. Jane's boyfriend pushes for abortion, the sperm donor and his wife want to raise the child, and lastly, Jane's mother wants her daughter to know what options she has available to her. By the end of the first episode, Jane decides to remain pregnant and give the baby to the sperm donor and his wife. Despite these outlandish circumstances, Jane's decision has brought as much consensus as is possible to this situation and those around her vow to help in any way that they can. Jane, Polly, and Alison's decision to continue their pregnancies is an example of post-feminism's 'celebration of women's reproductive agency' (Hoerl and Kelly, 2010: 366) where these characters can maintain or recapture their moral virtue.

While Emma and Xiomara exhibit conviction in their decision to abort, both characters must contend with varying levels of self-interrogation, isolation, and negotiating how others feel or may feel about their decision. Abrams (2015) argues that abortion stigma is concealable and only becomes visible upon disclosure, leading to secretive behaviour as a common response to real or perceived stigma. In an example of self-interrogation and internalized abortion stigma, Emma wonders if her lack of guilt about choosing abortion makes her 'a cold-hearted bitch', demonstrating that she feels this absence of emotion surrounding her decision is troubling. For Emma, judgment comes from her best friend and sometimes boyfriend Jesus. She does not disclose her abortion to him

until several episodes later and this continues to cause tension in their relationship well into season five. Jesus expresses his anger and disappointment that Emma had an abortion without consulting him and did not consider adoption as a viable option. He then spends several episodes being simultaneously verbally aggressive and distant towards her. Additionally, Emma states that she cannot tell her parents about her pregnancy, and she chooses not to tell her best friend, Mariana, indicating an expectation of abortion stigma. When Mariana finds out about Emma's abortion, she is angered and hurt that her best friend did not confide in her. Mariana then tweets about Emma's abortion and while Marianna does not name Emma specifically, it was easy for other characters to figure out who had the abortion, showing that confidentiality surrounding this procedure is not ironclad. Emma must now contend with the gossip going around her high school as her classmates try to figure out who Mariana is referring to. At the end of the series, Emma and Jesus break up—likely for good—with Emma stating that they need time apart from each other, as they have been dating since they were 16 years old. While Emma does not cite her abortion as a contributing factor in their break-up, had she decided to parent instead of abort, there would be more incentive for them to work things out. Lastly, due to Emma's decision to abort without consulting Jesus, the implication is that when a partner is excluded in the decision-making process, she may be abandoned.

In *Jane the Virgin*, Xiomara's abortion story revolves around the reaction of her family. While Jane is supportive and non-judgmental of her mother's choice to have an abortion, Alba, Xiomara's deeply religious mother, reacts to the news by directing anger, shame, and disappointment at her daughter. To avoid her mother's disappointment, Xiomara attempts to keep her abortion private, designating a strong awareness of abortion stigma. Alba's Catholic belief that abortion is murder drives Xiomara's secrecy, findings consistent with Cockrill et al. (2013) where Catholic and Protestant women experienced higher levels of stigma than nonreligious women, had higher levels of self-judgement and a greater perception of community condemnation than less religious women. Predictably, Alba worries that her daughter will be punished for the sin of her abortion and makes several comments about Xiomara 'booking a ticket' [to hell] for her abortion. It is only after several days of shouting, isolation, and exclusion that Xiomara and Alba can make a fragile peace. Alba never states that she accepts her daughter's decision to have an abortion, deciding instead to 'move past' her feelings of disappointment in her daughter, acknowledging that they are different people with different values.

Xiomara and Emma must negotiate the balancing act of enacted and felt abortion stigma, all while contending with their own internalised abortion stigma, which at times, is problematised by a lack of guilt. The complexities of these storylines may mirror the experience of women seeking abortion care; however, they convey that there are negative consequences for women who choose abortion over parenting, thereby endorsing 'conservative' sexual behaviour (Rogers, 1992: 83) and anti-abortion narratives that 'people have abortions in isolation from those they love' (ANSIRH, 2018). In sum, the shows in this analysis suggest that it is better to support a loved one through an abortion experience than to have an abortion oneself.

### **The 'Good' Mothers Choose Parenting**

Polly, Jane, and Alison chose not to terminate their pregnancies and with this decision, they 'naturalize a particular relationship to pregnancy in which carrying a fetus to term is the assumed choice' (Hoerl and Kelly, 2010: 376). In these scenarios:

motherhood is not a choice that a pregnant woman makes; rather women may become mothers at the moment a child is conceived' (Hoerl and Kelly, 2010: 374).

Their decision to parent is not due to a lack of medical care or a lack of funds to pay for an abortion: they simply decide that parenting is the best option for them. Additionally, Jane's religious beliefs strongly influence her decision to parent and by the end of the pilot episode, Jane has made her decision to continue the pregnancy. In *Pretty Little Liars*, Emily and Alison work through this situation in several emotional conversations about their options, with Emily saying she would be filled with regret to miss a chance to parent her children. They decide that together as a family they will raise the twin girls Alison is carrying. Alison proposes to Emily and at the end of the series, and the two are a married same-sex, biracial couple raising twin girls, albeit through highly unusual means. Both endings illustrate that unplanned pregnancy, rape, forced or accidental insemination and abortion rejection will lead to a lasting, loving partnership for some women.

In *Riverdale*, Polly, like her mother, decides not to have an abortion. Alice reveals that while in high school, she became pregnant and gave her baby up for adoption, a decision that she still deeply regrets two decades later. With this admission, we see that Alice will help to ensure Polly's babies have a safe, happy home. Similarly, Jane's mother, grandmother, mother, fiancé and the baby's father decide that they will all work together to raise the baby that Jane is carrying, stating that she will have all of the emotional and financial support she could want. Polly and Alison exemplify the 'class biases of postfeminism' by illustrating the 'dominance of whiteness in postfeminist discourse' when deciding to parent with little discussion of the emotional and financial difficulties they will likely



face (Projansky, 2001: 78-79). Jane, as the only non-white, working class character in this cadre of shows, does not have this luxury.

All three storylines romanticise unplanned pregnancy as a blessing in disguise—an event that can unite families, bring together loved ones and in some cases, help a character find love. Reproductive coercion, sexual assault, and unintended pregnancy are transformed into romance and a happy ending for entertainment purposes, glossing over issues of bodily autonomy and agency, and failing to address the issues that single mothers may encounter. Additionally, these abortion-rejecting storylines reinforce a

repronormative arc in which characters' fertility and pregnancy decision-making are used to communicate deeper ideas about who those characters are' (Sisson, 2017: 16).

For Polly, Jane and Alison, the decision to parent could be viewed as redemptive, where we see a woman reclaiming her 'rightful' understanding of femininity by participating in the ultimate womanly act of mothering, enacting her 'innate desire to be a mother' (Cockrill and Nack, 2013: 975; Kumar et al., 2009), embracing motherhood as 'the single most important thing in a woman's life' (Rogers, 1992: 82), and 'ultimately restore[ing] the myth of motherhood' (Hoerl and Kelly, 2010: 375) despite the circumstances each woman is facing. While the parenting storylines of Alison, Polly and Jane are 'refiguring discourses of post-feminism to incorporate changing family structures' (Hoerl and Kelly 2010: 362) in a departure from the white, middle-class, heterosexual family model, these storylines still deeply rely on what Hoerl and Kelly (2010: 362) call a 'neo-traditional model of motherhood' that reinforce social scripts about womanness and maternity. The good mother, as seen in Jane, Alison and Polly, 'embraces her maternal role, accepting the social link between conception, gestation, and maternal bonds' (Abrams, 2015: 180). She is, Abrams argues, 'self-sacrificing, putting the demands of her maternal role before other personal choices' (2015: 180).

The 'happy ending' trope that is often portrayed in storylines such as these could also be seen as a reward for choosing to parent after considering abortion. Alison can move past her 'mean girl' image and is now a wife to Emily and mother to their twin babies. She has matured and found meaning in her life, leaving the torment she both experienced and inflicted behind her. Polly makes an adult decision by defying her parents to keep her babies and raise them, knowing she will be a single parent. She is challenging the authoritarian parenting rule in her house by not allowing her father to pressure her into having an abortion and epitomises the protective mother-to-be archetype that anti-choice organisations favour; the woman that protects life and rejects murder (Condit, 1990), regardless of circumstance. Jane allows her religious beliefs to guide her decision-making process, ultimately deciding that abortion is not a feasible option, making one anti-choice blogger applaud Jane's selfless decision to shift 'her life goals and timelines to make room for the new little one...in the face of this life shattering event' (Olmstead, 2016). While Jane's pregnancy was completely unwanted and unplanned, she decides that she can make the most of her situation, vowing not to let this pregnancy ruin her life, thereby adhering to the anti-choice doctrine that abortion is an unfavourable option (Condit, 1990) and morally wrong (Hoerl and Kelly, 2010).

Narrative symbolism of the 'good' versus 'bad' mother is evident in the abortion and pregnancy narratives of Jane, Polly, Alison, Emma and Xiomara. Abrams (2015: 180) posits that 'social perceptions of maternity are shaped in part by pronatalist values, which are foundational to social organization and religion' and the 'social value placed on fertility is pervasive across gender, age, race, religion, and class distinctions' are 'exceedingly resistant to change'. Popular culture frames the woman who seeks abortion as the 'bad mother,' demonising her for delaying or rejecting 'childbearing for personal or professional reasons' and 'rejecting the inevitability of maternal bonds' (Abrams, 2015: 180). She rejects this maternal role, abandons her child and 'puts personal concerns before motherhood' (Abrams, 2015: 180). The 'bad mother' stigma is constructed through a multifaceted framework of messages and experiences that include the beliefs of the individual and her interactions with friends, family, the community and society (Abrams 2015: 181). It labels women who seek abortion as 'promiscuous, sinful, selfish, dirty, irresponsible, heartless or murderous' (181). Abortion, Abrams (2015: 184) argues,

is more acceptable to many when the woman is perceived as a victim of circumstances beyond her control, whether the acts of another or medical happenstance.

Neither Xiomara nor Emma falls into this category, therefore, their choice to abort is positioned as especially selfish. For some, the decision to terminate a pregnancy may be perceived as the "ultimate abandonment of the life in being, a rejection of maternity and of the 'essential nature' of woman" (Abrams 2015: 183).

Xiomara and Emma face additional hardships from their choice that put abortion in a negative light. Emma remains single at the conclusion of *The Fosters* series and Xiomara is 'rewarded' in the narrative logic with breast cancer and suffers through several rounds of chemotherapy shortly after her abortion, indicating that there are life altering consequences for women who have abortions. Xiomara and Emma's abortion narratives are continuing to stigmatize women who have abortions as rejecting essentialist ideas of womanhood, 'marking them, internally

or externally, as inferior to ideas of womanhood' (Cockrill and Nack, 2013; Kumar et al., 2009;), and reinforcing the fear of isolation women who speak about their abortion experiences may face.

## CONCLUSION

Abrams (2015: 181) posits that 'when reproductive decisions are stigmatized, both the women who make these decisions and the procedures become marginalized', as evidenced by the unplanned pregnancy and abortion stories in *The Fosters*, *Jane the Virgin*, *Pretty Little Liars*, and *Riverdale*. This study both simultaneously supports and complicates current research focused on abortion narratives in television shows. Xiomara's abortion in *Jane the Virgin* challenges current abortion television trends in several ways. She is Latina, in her 40s, working class, and has an adult daughter—which more accurately depicts real life abortion statistics where in 2014, 59% of women who sought abortion already had a child, 75% were low income, and 25% were Hispanic (Guttmacher, 2017). Xiomara's story complicates some of Sisson and Kimport's (2016: 446) findings regarding character demographics where most women who obtained abortions were disproportionately white, young, wealthy, and not already parenting. Furthermore, the word 'abortion' is used several times in the series when addressing Xiomara's abortion, helping to dispel the stigmatising silence surrounding the use of the term and assisting to 'normalize ordinary abortion experiences' (Ludlow, 2008: 32). Additionally, *Jane the Virgin* is in the comedy-drama genre, and it is only in recent years that abortion plots have appeared in this genre of show, particularly where an abortion eventually takes place (Sisson, 2017). Show creator Jennie Snyder-Urman stated that Xo's abortion was necessary for 'representation and balance...and also for realism!' on a show that has not shied away from current political issues (Bennett, 2016). Xo's abortion, according to Snyder-Urman, provides a

different type of abortion story on TV...one that didn't show the woman tortured and guilt-ridden. While that certainly does happen, it is not the only response, nor is it the only story that should be told (Bennett, 2016: n. p.).

Emma challenges the trend of adolescent and young white women choosing to parent as seen in *Pretty Little Liars* and *Riverdale* when she makes her decision to have an abortion based on her own needs and uses the term 'abortion' in later episodes. Emma's plot follows a common trend found in abortion television narratives that cite a disruption of education or vocational goals as the primary reason for abortion (Sisson and Kimport 2016). This trend is in opposition to findings that 'only about 20% of real women cite this reason as part of their decision' (Sisson and Kimport, 2016: 448), which may further stigmatise women who have abortions as 'selfish'. Both Xiomara and Emma continue to defy and attempt to reject ideas of internalized abortion stigma when they refuse to regret their decision to abort, standing resolute when they are criticised by family and lovers.

The importance of how accurately abortion is depicted in both *The Fosters* and *Jane the Virgin* should not go unacknowledged for writers' attempt to normalise and destigmatise common abortion experiences. Emma and Xiomara's abortion plots are an attempt at what Baird and Millar (2019: 1120) call an

'unapologetic abortion narrative' that provides a release from an involuntary and unwelcome condition, thus producing an overwhelmingly positive experience.

However, these narratives are not without fault and should not be considered ideal models for how abortion should be constructed in television shows, despite the many positive aspects of their stories. Emma and Xiomara become pregnant when they have sex outside of the confines of a defined relationship: their pregnancies and subsequent abortions may be seen as a form of punishment for being unattached women who desire sex and act on these desires. Xiomara is later diagnosed with breast cancer and spends much of season five recovering from her treatments which could be inferred as a result of her abortion, reinforcing the notion that characters who have abortions face additional health concerns. Such exaggerations can lead viewers to believe that abortion is more dangerous than it actually is, thereby contributing to populist misinformation about this form of healthcare. At the conclusion of *The Fosters*, Emma is left without a partner indicating that abortion makes women unable to find a lasting romantic relationship.

As abortion is more stigmatised than forms of healthcare, Sisson and Rowland (2017: 26) posit that 'individuals might be even more reliant on media portrayals in shaping their belief about abortion', therefore, depictions of shame and abortion-related health concerns on television should be avoided. Additionally, 'fictional portrayals of abortion impact viewers' beliefs and political opinions', whereby teen, young adult and single parenting may be seen as desirable, feasible and even romantic for viewers, while abortion continues to be stigmatised (Sisson and Kimport, 2016: 446). When Jane, Polly, and Alison decide to parent instead of seeking abortion, they are quietly admonishing this form of healthcare that 1 in 3 to 1 in 4 women in the U.S. experience (Kost et al., 2017).

Issues of financial stability, education and career goals are rarely addressed for the three characters that choose to parent. This follows the trends critiqued by Hoerl and Kelly (2010: 370) where in order to choose parenting over abortion

the main female characters' decisions to continue their pregnancies either ignore or background material conditions and other structural constraints outside of the individual woman's control.

Hoerl and Kelly summarise Sarah Projansky (2001) who argues that post-feminist discourses about choice ignore socioeconomic realities that favour white middle class parenting. Low-class women, Projansky (2001) states, cannot make the choice between work and family as easily as a middle-class white woman who may have the support of a working husband or partner, as shown in the case of Jane in *Jane the Virgin* (cited in Hoerl and Kelly 2010: 362). Jane is the only character that spends quite a bit of time worrying about how she will be able to afford a child. For Alison and Polly, the economic realities of parenting are not addressed thereby retaining the 'emphasis on white, middle-class women as empathetic—if not virtuous—models of contemporary parenting' (Projansky, 2001: 362). While a wholly supportive and accepting abortion storyline featuring teenage and young adult women may not be possible, writing an abortion story that is absent of shame, silence, isolation, and judgement would be a good place to start. Baird and Mallard posit that normalising and even celebrating abortion stories 'reorients the epistemology of abortion away from a preoccupation with themes such as stigma and 'awfulisation'', further stating that 'academic focus on positive representations of abortion may, help amplify their normative effects' and assist to 'establish particular norms for thinking about abortion and the women who have abortions' (Baird and Mallard, 2019: 1118). TV show writers may be unaware that they are reinforcing the abortion stigmas that women experience in real life experience (see Cockrill and Nack (2013), Cowan (2017), and Herek (2009)). Each fictional character's experience is riddled with variations of internalised, felt or anticipated, and enacted abortion stigma that play out in a myriad of ways, most commonly portraying characters who choose to abort facing enacted stigma in the form of abandonment, silence, isolation, fear, and shame by loved ones. For viewers who may have already sought abortion care or who will in the future, the concept of an abortion experience that is not fraught with guilt, isolation, fear, shame, and secrecy may not be within their realm of possibility. Abortion affirming narratives may serve to combat both stigma and misinformation (Baird and Millar, 2019) and writing abortion experiences that are brimming with support from family and friends may be a way to challenge these existing stigmas. Additionally, no longer connecting pregnancy and abortion as punishment for sex outside of marriage or for 'bad' behaviour may help to dispel deeply imbedded abortion stigma and stereotypes that only promiscuous women and girls seek abortion care. Furthermore, decreasing the exaggerated health risks associated for characters that have abortions is necessary to showcase more accurate abortion experiences. Lastly, using the word 'abortion' in these shows may help to de-stigmatise and normalise this common form of healthcare for adolescent and young adult viewers.

If television shows with large adolescent and young adult female audiences continue to address abortion, further research in this area should be conducted using a larger media sample. Additionally, as television shows with large adolescent and young adult viewers featuring women and girls of colour are becoming more common, it will be important to examine how abortion, race, and reproductive coercion are addressed for girls of colour whose history and access to reproductive justice is historically complex.

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## Book Review

### **Birth Control Battles: How Race and Class Divided American Religion**

Rebecca Barrett-Fox <sup>1\*</sup>

**Published:** March 1, 2022

**Book's Author:** Melissa J. Wilde

**Publication Date:** 2019

**Publisher:** Oakland: University of California Press

**Price:** \$29,95 Paperback, \$85,00 Hardcover

**Number of Pages:** 304 pp.

**ISBN:** 978-0-520-30321-8

Despite the harm that the COVID-19 pandemic has caused families, from the infection of four million children (American Academy of Pediatrics and Children's Hospital Association 2021) to the deaths of the parent or grandparent caregivers of more than 140,000 children by Fall 2021 (Hillis et al. 2021), proposals to support families during the pandemic have been met with criticism. Caretaking leave legislation excluded most employees (Glynn 2020), and direct aid was inadequate (Foster, 2021). Additional relief to families was not scheduled to arrive until July 2021—eight months after the previous check, and families received only one additional boost of financial support, a \$1,600 cheque that was significantly less than the \$2,000 he had promised during his campaign, during the first year of Democrat Joe Biden's presidency. The social welfare infrastructure of the president's proposed Build Back Better plan was opposed by every single Republican member of the US House of Representatives before stalling in the Senate. Why? Why are so many US politicians and everyday Americans opposed to providing financial support for families with children during a life-or-death crisis?

Within the first few online comments on almost any article about COVID-19 relief for families, you will find the start of the answer: *You shouldn't have children if you can't afford them.* The commentator often notes the availability of cheap, effective contraception in the US, which makes giving birth to children whose financial needs you cannot meet a burden to responsible taxpayers—the kinds who are not rewarded with major tax deductions merely because they reproduced. 'Having children you can't afford' does not just harm those children, who, it is implied, were better off never conceived, but is an act of bad citizenship. Indeed, it is framed not just as a theft from the other taxpayers but as an assault against Earth itself, which cannot support continued population growth.

We are nearly a century after the debates described in Melissa J. Wilde's *Birth Control Battles: How race and class divided American religion*, and, while new forms of contraception have been widely accepted and adopted in the USA, early 20th century fears about a nation overrun by the irresponsible poor continue to animate conversations, if in ways that are less overtly racist than previously. Wilde uses 1926 as the baseline for her study, a time when changes in immigration and urbanisation contributed to fear, especially among elites, about the inability of Western (white, Protestant) culture to preserve itself. At the same moment, the Social Gospel provided a theological framework to justify political intervention in social problems, while eugenics supplied a scientific solution to the problems that white Protestants had identified. Wilde discovers that, between 1929 and 1931, more than 25% of the largest and most prominent religious groups in the US liberalised on the issue of birth control (p. 77), adopting a 'Eugenic Gospel' (p. 102). In short, 'whether a particular religious group supported legalising access to contraception circa 1930 had nothing to do with whether they were feminist or concerned about women's rights' but was primarily

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motivated by ‘whether they were believers in the white supremacist eugenics movement and thus deeply concerned about reducing some (undesirable) people’s fertility rates’ (p. 1-2). Birth control was either a sin or a duty—depending on who was using it—but motivation for its legality and availability was, generally, racist.

Birth control advocacy makes strange bedfellows. This is the first takeaway of Wilde’s book. Using a comparative-historical sociological approach, Wilde identifies a sample of American denominations that she then assigns to one of four categories determined by their belief in the Social Gospel and concern about ‘race suicide’—‘undesirables’ demographically overpowering white elites. Drawing from denominational magazines as well as the writing of religious leaders in birth control and eugenics literature, she codes the religious groups on additional issues that could conceivably be connected to attitudes toward birth control in general, including abolition, Prohibition, women’s suffrage, beliefs about evolution, their stance on fundamentalism v. modernism, their engagement with feminism, and their relationships with birth control and eugenics organisations, plus their geographic location and relative affluence. Wilde’s analysis allows us to see how Southern Baptists could be eugenicists yet reject birth control because they did not uphold the Social Gospel theologically and already oppressed Blacks with ‘a set of well-established institutions of racial domination,’ making birth control unnecessary for white domination (p. 220).

Wilde deftly explains how Reform Jews supported the birth control movement for reasons related to class, even as the birth control movement eugenically targeted Orthodox Jews who had arrived in the US after pro-birth control Reform Jews. Wilde also identifies Mormons, Orthodox Jews, Catholics, and Missouri Synod Lutherans—people who might otherwise not have much in common but who were outsiders to the intellectually elitist white Protestantism of nativist Americans—as critics of race suicide, eugenics, and birth control (p. 135). Unsurprisingly, historically Black denominations were critical of eugenics. The author gives attention to those she labels ‘supporters,’ ‘critics,’ and ‘silent groups,’ but readers are likely to find most interesting her analysis of early liberalisers and subsequent promoters of contraception.

The importance of Wilde’s work in understanding the role of religion in the history of reproduction in the US can hardly be overstated: religious groups were so important to the eugenics movement that nearly a quarter of the American Eugenics Society’s budget was devoted to outreach to clergy (p. 66). Groups with quite different theologies still cooperated in promoting birth control because of their desire to maintain hegemonic power. Indeed, birth control advocates generally also supported the period’s immigration quota reforms while they also sought to restrict ‘immigration from Heaven’ (p. 86). Wilde’s engagement with theology as well as politics helps readers understand how a denomination could encourage birth control among others without encouraging it internally.

Underlying the fear and activism of the early liberalisers was the notion that people are unchanging, so birth control, including forced sterilisation if necessary, was the best way to achieve God’s kingdom on Earth. The author reformers did care about education; ‘their solution was that the highly educated should breed more, not that all people should become more highly educated’ (p. 85). Though they sent missionaries abroad, the religion of immigrants to the US was seen as ‘immutable and they were thus not convertible’ (p. 92). Contraception was ‘essential to eliminating the reproduction of poverty’ (p. 101) because the conditions of poverty—poor character, non-whiteness, non-Protestant religion—were viewed as heritable, factors that were sexually, not socially, reproduced. If early birth control liberalisers were not in explicit agreement with racist novelist Thomas Dixon that, as expressed by the white, Northern, liberal Senator Everett Lowell in *The Leopard’s Spots: A romance of the white man’s burden--1865-1900*, that ‘[o]ne drop of [a Black man’s] blood in my family could push it backward three thousand years in history’ (Dixon, 1902: 394), they nonetheless supported the idea that human progress required eradicating the genetic threat that poor people presented.

Over time, early liberalisers’ concerns about human flourishing turned into concerns about environmental disaster, concern for the gullibility of immigrants who would fall prey to political machines was replaced with concern about the sexual ignorance of people in ‘poorer countries’, worry about urban immigrants’ fecundity was replaced with concern about the neediness of urban Black women, and the language of ‘race suicide’ and explicit calls for eugenics were replaced with gentler language about population control (p. 183). Calls for ‘responsible parenthood’ put more onus on individuals who, by the 1960s, had ever greater access to contraception and thus less excuse not to use it. Even as birth control supporters became more sensitive to being seen as eugenicists (p. 192), the logic of eugenics and the rhetoric of disaster and decline, not of women’s rights, continued to inform calls for lowered fertility among the world’s poor.

While contemporary readers may assume that support for contraception was rooted in support for women, their health, and their agency, ‘[i]n actuality,’ Wilde warns, ‘the story is a bit more complicated’—and much more grim—‘than many, especially religious progressives, might expect’ (p. 58). She tells the story carefully, with sharp analysis, engaging examples, and insights that remind us again and again that race, class, religion, and gender intersect in complex ways. However, Wilde does not address *why* this history is not widely known about religious and, later, political progressives, when the eugenics origins of contraception are commonly cited in contemporary anti-contraception and anti-abortion rights arguments. While such activists do not invoke the precise details that

Wilde uses, they have long deployed the argument that Wilde so carefully establishes: that the roots of birth control are racist, classist, and ableist and that, though birth control liberalisers of the past expressed views ‘at odds with the values espoused by progressive religious groups’ today, contemporary birth control, including abortion, aims to solve social problems by preventing the birth of children who would be non-white, poor, or disabled. The fact that the birth control movement has its roots in white supremacy (and that the development of the contraceptive pill relied on the exploitation of Puerto Rican women (Womack, 2020)) has been utilised by both white and Black anti-abortion rights activists since the 1960s (Caron, 1998) in campaigns calling abortion ‘Black genocide’ or a contemporary ‘Maafa’ or claiming that ‘the most dangerous place for an African American child is in the womb.’ Other contemporary critics note that birth control is often ideologically linked to ecofascism, or identify calls to reduce fertility in high birth rate nations as efforts to maintain the high levels of consumption common in the capitalist West at the expense of larger families in majority non-white nations.

Wilde only mentions contemporary debates about birth control briefly in closing comments, but that readers can so easily imagine a next chapter in *Birth Control Battles* means she has laid a foundation for continued examination of the questions she raises. For me, her work is a gift to scholars of religion, gender, class, and immigration who work from both historical and sociological perspectives, modelling precise qualitative methods and careful reading and interpretation. *Birth Control Battles* belongs on graduate and advanced undergraduate syllabi and would teach well in conversation with R. Marie Griffith’s *Moral Combat: How sex divided American Christians and fractured American politics*, Sara Moslener’s *Virgin Nation: Sexual purity and American adolescence* and Monique Moultrie’s *Passionate and Pious: Religious media and black women’s sexuality*, each of which has important overlap with *Birth Control Battles* while approaching their topics from other angles.

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## Book Review

# Queer in Translation: Sexual Politics Under Neoliberal Islam

Yener Bayramoğlu <sup>1\*</sup>

**Published:** March 1, 2022

**Book's Author:** Evren Savcı

**Publication Date:** 2020

**Publisher:** Durham: Duke University Press

**Price:** \$25.95

**Number of Pages:** 248 pp.

**ISBN:** 978-1-4780-1136-1, 978-1-4780-1031-9

The Gezi Protests of 2013 are one of the most important turning points in Turkey's recent history. When Turkey's president, Recep Tayyip Erdoğan, ordered that Gezi Park be demolished in order to rebuild an Ottoman military barrack in the form of a shopping mall, a handful of protesters gathered in the small Istanbul park. Though they did surprisingly manage to stop the Istanbul municipality's bulldozers from removing the trees, they also witnessed the anticipated police violence that followed, in response to their action. Police attacked people with water cannons and tear gas, and burned the tents of demonstrators camping in the park. This group was soon joined by more protestors, and the demonstrations became no longer just about the park, but also about Erdoğan's increasingly authoritarian style, which had a massive impact on the everyday lives of Turkish citizens. Protests spread all over the country, turning into the biggest civil uprising against a government in Turkey's history.

The story of the Gezi Protests as summarised above is well known. Many scholars, journalists or politicians interpret the Gezi Protests as a critical moment that led to an intensification of the repression of human rights and increased authoritarianism in Turkey. Yet what is often missed in this well-known analysis of the Gezi Protests is its queer potential, which provides a completely new perspective—not only for queer struggles in Turkey, but also for queer theory in general—through the novel ways in which the protests undermined categories of identity, ideology, and politics. Evren Savcı's remarkable book revisits the Gezi Protests, among other sites, stories and biographies in Turkey, to illustrate a new way out for a queer theory that has been stuck in binaries, such as colonial/authentic, structure/agency, neoliberalism/empowerment, and negativity/world-making, over the last two decades, creating a worrisome either/or analytical framework. For me, this timely book offers a much-needed shift away from a US-centric critical framework, to encompass the complexities of Turkey, which destabilise simplistic theorisations of the impacts of neoliberalism, westernisation, hegemonic regimes of gender and sexuality, and religion upon non-normative gender identities, sexualities and expressions.

Queer scholarship that addresses Turkey, the Middle East, or any region that falls outside of the Global North, can fall into the trap of culturalising these regions. Such scholarship marks these regions with difference, and discusses their particularities as contaminated with colonialism and/or westernisation. This often comes with a certain nostalgia for a lost culture that existed before the disruptive, violent impacts of colonialism. Savcı goes beyond this persistent narrative, and manages to step out of the scholarship that addresses Muslim cultures as mere victims of colonial modernity, and Islam as a homogenous and radical alterity of the west. By shifting her analytical standpoint from a western to a Turkish one, from which Islam does not function as the cultural other but as part of the population's lived political experience, the author manages to grasp the unfolding of contradicting events,

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such as the rise of LGBTIQ+ movements as well as the political homophobia and transphobia within societies, in which Islam and neoliberalism have many faces.

What distinguishes Savcı's analytical framework from most queer scholarship is her approach to *translation* as a tool to trace the movement and transformation of certain concepts and vocabulary of sexual and gender discourse in Turkey. Drawing on ethnographic observations in Istanbul and Ankara, the author analyses how concepts such as 'gender identity,' 'hate crimes,' 'coming out,' and 'LGBT rights' enter the realm of public political discussions, and how they create contradictions and unexpected outcomes that make new activist strategies and individual resistances possible.

While most of the terms that Savcı observes travel from the west to Turkey, there are also words rooted in Turkey's queer struggle that are often impossible to translate into English—such as 'ayol.' 'Ayol,'—a popular idiom among Turkey's queer subculture that reflects effeminacy and 'limp-wristedness'—was translated into a slogan and hashtag (*#direnayol*, *#resistayol*) during the Gezi Protests. This queer subcultural idiom 'queered the hyper-masculinised, tear-gas wielding, barricade-building bodies, redefining the subject of revolution,' to use the author's own words (p. 137). Put differently, *translation*, as Savcı observes in her book, does not always function as a one-way street from the west to the East, but also takes place between and within different political struggles in Turkey and helps to queer public space.

Throughout the book, Savcı underlines the difference between *translation* and *discourse*. The author suggests using translation studies as an analytical framework, as it allows more nuanced analysis (than discourse- or text-based approaches to language) in capturing the ever-changing meanings and functions of certain concepts, words and vocabularies related to sexuality (and gender) in the messiness of social life and during their migration between languages.

Within this framework, the book provides rich ethnographic material that includes the complexities of social life in its analysis of language. And yet, the book's argumentation about the need for distancing from purely textual discourse would have benefited from further discussions, as works that are based on textual analysis do not necessarily opt out of the social or historical contextualisation of language. Indeed, for me, Savcı explores certain epistemic transformations, such as the debates between headscarf activists and LGBTIQ+ rights within the same framework of human rights discourse (in chapter one) by using texts as her main sources of analysis. Within this framework, the author reflects the ambivalences and complexities of juxtaposing discourses on headscarf activism and LGBTIQ+ rights. While LGBTIQ+ rights, as the author observes, were often instrumentalised by Turkey's secularists to contest the commitment of headscarf activists to justice for all, the government interpreted headscarf activism as the 'good human rights discourse,' (as opposed to LGBTIQ+ rights, which it saw as making extremist demands). Within this framework, the author discusses a dialogue that took place in 2008 between Muslim writers and LGBTIQ+ activists. This dialogue had the potential to create a new kind of politics against cruelty, which opposes any form of cruelty, toward any person, regardless of identity. Opposing cruelty beyond identity politics might offer a common ground for productive engagement between religious Muslims and LGBTIQ+ activists.

Savcı's ethnographic observations relating to some of the central concepts within LGBTIQ+ rights demonstrate how their meanings and functions shift and take on new forms once they arrive in Turkey. Take, for instance, the discussion on 'coming out' in chapter two. This process is still considered essential to 'healthy' LGBTIQ+ identity development within western and *white* LGBTIQ+ discourse. When Ahmet Yıldız<sup>1</sup> was murdered after his coming-out, it attracted international media attention, as it was seen as the first known 'honour killing' of a gay man in Turkey. The author shifts her attention to Yıldız's friends, who complicated the out/closeted binary by positioning themselves as gay men/bears who do not believe in coming out to family members.

Subsequently, there has been great media, activist and scholarly interest in Ahmet Yıldız's death. Savcı weaves this story with another that received almost no media or activist attention: the struggle of Ummuhan Darama. Ahmet Yıldız was killed in the front of Darama's café and Darama herself was injured in the shooting, with a bullet hitting her heel. Darama's ex-husband's family was threatening her before Yıldız's death and, in fact, her café was shot a number of times a couple of weeks after Yıldız's death as well. So the author rightfully points to the possibility that Ahmet Yıldız was killed by mistake, the actual target having been Darama. Darama's story disrupts the coherent narrative of 'gay honour killing,' and demands new visions of justice for people who experience violence due to their intimacies, sexualities and kinship formations, no matter how they position themselves in the matrix of identities.

Evren Savcı's book simultaneously offers an historical analysis of Turkey's recent queer struggle. In chapter three, for instance, she turns to the history of state violence against trans women in Turkey and observes how this violence has changed practice in the course of time since the 1980s. In earlier years, state violence against trans women was carried out in the form of deportations, the illegalisation of performances by trans artists, torture in jails and public shaming such as in the shaving of the heads of trans women. In later years, arguably it turned into

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<sup>1</sup> Ahmet Yıldız was shot dead on 15 July 2008 in Uskudar (a district of Istanbul) after his coming out.

a *deeper* violence, a term that Savcı coins to address the state's indirect role in supporting its citizens' attacks on trans women. As *deep citizens* with conservative, religious, and nationalist values went on to attack minorities including trans women, police violence is now increasingly used to control and regulate the larger national body. By shifting her attention to the hopelessness of trans activists in such a violent civil atmosphere, the author shows the potentials of queer negativity in doing politics and navigating an increasingly authoritarian society.

Throughout the book, Savcı takes the reader along an intellectual journey that explores how concepts that are rarely placed alongside one another can come together to create new perspectives on the operationalisation of the regimes of gender and sexuality.

Perhaps the most important juxtaposition of terms that Savcı explores consists of 'neoliberalism' and 'Islam,' which builds a productive bedrock for the book's central arguments. In queer studies, these terms are rarely thought through together. Queer studies' critique of the processes that produce normalised subjects through the impacts of neoliberalism on sexual rights, such as the well-known critique against same-sex marriages, gays serving in the military, hate crime laws, gay ghettos gentrifying neighbourhoods, etc., have mostly focused on national contexts within the west. Islam, on the other hand, has rarely been thought as entangled with neoliberalism's impact on queer lifeworlds. When these terms are discussed together in queer literature, Islam is typically imagined, rather, as a minoritised position—the Muslim immigrant living in the west, or the colonised subject as the ultimate Other of the west.

By focusing on Turkey, Savcı's book blurs these divisions between neoliberalism and a cultural/religious Other. It shows how Islam and capitalism merge with one another and create new forms of violence but also open up new and unexpected ways of resistance and activism in Turkey. She disrupts the binary between 'the neoliberal West' and 'the Muslim East' by exploring the movement of concepts and vocabulary within sexual rights discourse. What could provide more nuanced context to Savcı's theorisation, however, is the transnational, diasporic connection between Turkey and the neoliberal west. Not only do concepts and discourses travel across borders; so, too, do subjects move between nation states, bringing new perspectives that shift epistemologies within national contexts. The international media attention on Ahmet Yıldız's case, for instance, cannot be fully grasped without considering the role of Turkey's queer diaspora in Germany.

Still, Savcı's focus on the role of language in changing the epistemological landscapes of sexuality and gender, interlinking categories that were formerly thought as separate, and demonstrating the complex impacts of neoliberalism and capitalism in a world that is shaped by diverse forms of epistemic violence and historical erasure is a much needed and timely intervention into queer studies. Savcı argues that not every violent repression and erasure of queer lives can be explained by colonialism. And yet, for me, one might ask at this point, whether we can perceive any form of contemporary epistemic violence and historic erasure as completely unrelated to direct or *indirect* impacts of colonialism. Is there any region, form of political violence or knowledge that is not contaminated by colonialism? This is a question that emerges after reading Savcı's impressive book.

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## Book Review

# Gypsy and Traveller Girls. Silence, Agency and Power

Roberta Piazza <sup>1\*</sup>

**Published:** March 1, 2022

**Book's Author:** Geetha Marcus

**Publication Date:** 2019

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**Price:** €79.99 Hardcover

**Number of Pages:** 334 pp.

**ISBN:** 978-3-030-03702-4, 978-3-030-03703-1

As its author proudly proclaims, *Gypsy and Traveller Girls* is the first book to give voice to the children of itinerant communities in Scotland (p. 2) and, more importantly, their 'gendered educational experiences' (p. 75). While research exists on GRT (as Gypsies, Roma, and Travellers are officially referred to in the UK) who live in England, Wales and Ireland, no gender studies have ever been carried out on these groups in Scotland. The ethnographic data at the basis of the book are therefore invaluable in their uniqueness. They are interviews with 13 girls, most of them teenagers except for one 22-year-old, and focus groups carried out with them, which reveal a wealth of issues, emotions, reactions to prejudices, sufferings and aspirations in the lives of Gypsy and Traveller girls. Yet, praising Marcus' book solely or mainly for its data would be misconstruing it. The principal value of *Gypsy and Traveller Girls* is the fact that the book deals with the very complex and highly sensitive topic of education and the conflicts and tensions that emerge when young girls belonging to communities outside settled mainstream society enter in contact with its educational system and fundamental ethos. Marcus' book is a reminder that education is never a neutral process. Rather than introducing young adults to the practice of understanding critically themselves and the reality around them, education has a 'moral character' (Pring, 2004: 23 in Marcus, p. 79) and is generally a disciplinarian process whose main aim is to integrate young people into the established beliefs of the majoritarian portion of society. If understood and interpreted à la Paulo Freire (*Pedagogy of the Oppressed*, 1970), education is, of course, a humanising asset with 'power to emancipate' (Marcus, p.80, echoing hooks 1994, 2003) and not a 'banking' process aimed at filling empty recipients with information. However, education can often be an instrument of oppression and a way of perpetuating power and social/racial/gender discrimination as in the case of the Stolen Generations of Aboriginal and Torres Strait Islander children who were removed from their families to be educated in various institutions and Catholic missions. Education can function to impose a particular stance and ideology, which is the reason behind the condemnation of Western-inspired models of schooling by extremist organisations such as Islamic Boko Haram in Northeast Nigeria, enacted by such ferocious strategies as the kidnapping of young girls attending school.

The conflictive relationship that Travellers and Gypsies have with the mainstream educational system in the UK has a long history, but has recently become a more problematic issue since these communities have been granted ethnic and minority status in the UK under the name of GRT (Gypsy and Roma since 1989 and Irish Travellers since 2000). According to sections 28 and 29 of the United Nations Convention on the Rights of the Child, Gypsy and Traveller children have the very same rights to access education as any other children in Scotland

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(Marcus, 2019: 76). As a signatory to this convention, the UK government has a duty to ensure children of mobile communities do not miss out on educational opportunities. Marcus notes that '[s]ince devolution, (...) the Scottish Parliament has taken a renewed interest in the situation of Scottish Gypsies and Travellers' (p. 95) and this of course is reflected in their attempts to improve education among them. Marcus also highlights the difference between the Scottish and the English systems, where the former favours a broader breadth of learning, while the latter prefers a more specialised and narrower focus. Despite such internal discrepancies, however, the GRT suspicious attitude to education is the same.

It is worth comparing Marcus' study with my own investigation in a different part of the country. In my ethnographic investigation of Irish Travellers in the south of England—first in a transient and later in a permanent council-run site (Piazza, 2021)—the issue of education kept creeping into the conversations I had with the mothers. The general orientation was towards a dislike of schooling beyond the elementary level and a preference for home learning on the grounds that children in education are told things they should not know about and mix with dangerous peers, thus losing their innocence as the excerpt below shows.

Traveller. No, we haven't got problems in our school where the small kids is going.

Interviewer. Right.

TR. But they want the big kids to go to high school, but we don't want them—we want them in an all-girls school. We would send the girls but we want all-girls school. We would send them, yeah. (...)

Int. Yeah, of course.

TR. We wouldn't send them to a...

Int. Okay, a mixed school, yeah.

TR ...boys and girls, yeah. Because there's big 16-year-old boys, 17-year-old, they smoke, they like....

(Piazza's interviews)

The Traveller and Gypsy girls in Marcus' study benefit from Article 12, an organisation that uses government funds to cater to the educational needs of Gypsies and Travellers (not Roma). The scheme is part of a wide network of initiatives including the 2016 United Nations Committee on the Rights of the Child that in section 20 addresses the social discrimination and stigmatization that GRT children still experience.

Marcus avoids generalising GRT and presenting them as a 'homogenous entity', rather she insists on the differences that exist between these ethnic groups in terms of 'languages, lifestyles, cultures and ways of expressing their unique identities' (p. ix). Throughout the UK, GRT have been outcast and demonised for being mobile and itinerant; alternatively, they have been exoticised, which is just another way of othering them (Riggins, 1997), through such TV programmes as UK Channel 4's television series *Big Fat Gypsy Wedding* or even pseudo highbrow films as *Chocolat* (2000). Despite being one of the oldest minorities in the country, GRT's existence is continuously under threat. The number of privately and publicly owned sites that are available to them are definitely much below the demand, and numerous laws are passed that restrict the movement of these communities, while at the same time impose forced mobility on them as the few council sites only allow short stays. The resistance to schooling when children grow up is, therefore, plausibly a way to mark the boundary of Travellers and Gypsies' identity and preserve their beliefs and traditions, a way to draw a separation between the society of settled or 'country people' and that to which 'tinkers' belong. In Basso's (1970) classic study, children of a Native American community who attended college outside the reservation were submitted to the rule of silence by their parents during their holiday visits home. Silence was effectively the parents' reminder that although the children were being trained in the big great world outside their community, they were still Native Americans and as such still expected to abide by the community's rules and respect their elders' etiquette. Ostracising and resisting mainstream schooling can be a similar Travellers and Gypsies' identity practice.

Marcus is very subtle in capturing the dilemma the Traveller and Gypsy girls encounter when embarking on schooling. The contrast between a mainstream system focusing on intellectual growth and abstract learning clashes with the girls' original beliefs in learning practical home skills to run a household efficiently and raise children with care and discipline. Islay, May, Dana, Sky, Iona, Fara, and the other girls in Marcus' study are caught between their desire and, possibly, their curiosity to learn at school and their family's expectations of 'honour [ing their] father and mother' (Marcus, 2019: 203), which can include respecting the community's strict attitudes and beliefs about decency and modesty. As I discovered in my study of Irish Travellers in the south of England (Piazza, 2014), mobile families exert continuous control on their children. Their lack of trust in 'gorjas' or settled people stems

from what they see are their loose morals, from which they want to protect their girls, especially. In one of my interviews, a mother explains how Irish Travellers' morals radically differ from settled people's.

Traveller. like our children would not be allowed to walk to that shop on their own

Interviewer. they wouldn't?

TR. no...our little girls would not be allowed to go out on their own...like it's a very, it's a very, it's not strict...but...

TR 2. It's safe

TR. yeah. We know where they are. (...) we're more stricter with our children. To be honest we are.

Int. we? As in?

TR. yes. All travelling people is more stricter with their children

Int. yeah

TR. then what others are like...like you wouldn't allow your children to go out...or like you wouldn't leave your children and go out. You wouldn't be able to do it...even, even the girls that are sixteen and seventeen.

(Piazza's interviews)

Viewing mainstream society as corrupt and morally lax, Traveller and Gypsy parents limit the freedom of their girls who are not allowed to leave their community alone. Girls are trained to clean and take on caring responsibilities of the younger children at a very young age, which perpetuates a sexist upbringing. Being an 'honourable woman' is crucial for a Traveller and Gypsy and so is keeping the respect and support of the community. In my study I met young women separated from their spouses who told me they would never look for another man and would devote their life entirely to their children. In the eyes of the community, you cannot remarry or start a new life with a new partner. All this adds, crucially, to the split identity of the girls in Marcus' study who still perceive what they may be missing in their community's confinement when for instance they attend the youth centre. Dana, for example, reports she feels totally different in that space:

We are really happy here because like when I'm at home I don't get nowhere, and I have to sit on the site, like we're in the trailer all day but then you come here you're actually somebody, and like you're talking to somebody. (Marcus, p. 211)

All this, however, does not rule out a wide variety of attitudes and very different ways in which progress has changed Travellers' and Gypsies' communities. Some of Marcus' participants are daughters of divorced and single mothers. Similarly, in my research some women expressed a new interpretation of marriage, as the excerpt below suggests:

Traveller. I can't say this around but, you know what I mean, because gypsy people believe in staying, but I don't believe so...if my child wanted to leave her husband I'd say yeah, I'd say give me your baby and now go out and get an education, get a life. (Piazza's interviews)

Travellers and Gypsies, of course, are not the only communities in which young women are torn between different cultures. Marcus is very attentive to establishing similarities with other groups around the world for instance in the area of Islamic influence where the women's condition is complex. A recent PhD study conducted by a Saudi female researcher (Shalaan, 2020), for instance, found that women whose education, and learning of English specifically, is supported by parents, and the father in particular, perform much better than those who have to deal with indifferent or unsupportive families. In other words, in order to be successful, education must not challenge the students' original community.

If among Travellers and Gypsies education is contested and resisted for the reasons discussed so far, there are also other more basic reasons for the girls' poor academic performance and high dropout rate. These causes are not to be found in the traditional view of Traveller and Gypsy girls that a woman is expected solely to care for children and should not combine work and motherhood, in other words in their lack of interest in academic learning. Unfortunately, all too often behind a girl's poor attendance or low achievement is the racism to which she is victimised by at school.

Racism is a socially constructed process whereby social groups categorise others as different and inferior and behave towards them accordingly. Marcus understands racism as a continuum (p. 12) and, following on from Trepagnier (2006), draws the useful difference between ‘conscious’ and ‘dysconscious’ racism. The dysconscious person is one who ‘has impaired consciousness’ and ‘an uncritical habit of mind (...) that justifies inequity by accepting the existing order of things as given’ (Marcus, p. 82). In schools, Traveller and Gypsy girls are seen as different and are racially discriminated against whether the other students are consciously or dysconsciously, overtly or covertly, racist. Usually associated with skin colour, race and ethnicity, racism towards GRT instead reflects the ‘ethnicity conundrum’ (Marcus, p. 82) to which for instance Jews, being as white as their persecutors, were also victimised. The social exclusion or marginality of GRT is deep-seated but not based on any objectively apparent physical difference. It is often impossible to distinguish between a Traveller and a ‘country person’ or ‘gorja’. Yet, girls in schools’ report being treated differently not solely by their peers but also by their teachers who, they feel, often offer little support for them. Fara, for instance, one of the participants in Marcus’ study, complains: ‘I think the teachers could have done more, I really do think—as adults they could have done more. I think they should’ (p. 189). Similarly, in my own study, the mothers mentioned the racist insults their children received at school: ‘Most children feel like oh they’re getting picked on they called me a gypsy, they called me a pikey, they don’t like me cos they know what I am.’ Feeling abandoned and unsupported at school, the girls fall back on their community that becomes the only entity on which they can always rely upon, although, of course, at the cost of having to accept the imposition of traditional female roles.

Traveller and Gypsy girls therefore find themselves in an often hostile or at least unsympathetic educational environment. In such a context, their traditions and beliefs in a different lifestyle are not taken into account and are never considered. Being used to open spaces in a tradition of mobility, the girls feel constrained and constricted in a classroom (Marcus, p. 148), where they are asked to follow a curriculum that is alien to them especially because its applicability to real life is not immediately apparent. When Marcus asks the girls about their understanding of what learning is, the answer is that learning does not only take place in school, but more often outside in the real world. Such an innocent and apparently simple answer is the key to the girls’ resistance to and low attainment in the mainstream system. A system that is not made for them, that excludes them for the very reason it rules out the focus on practical skills (e.g., parenting skills) that are so crucial to mobile communities. This reflects another conundrum and brings us back to the anti-schooling or de-schooling movement (from the title of Ivan Illich’s radical book *Deschooling Society* (1971), in which the author condemns the ‘school factory’ in favour of informal and unstructured networks).

The complexity of the educational issue that while encouraging and in fact obliging Traveller and Gypsy youth to attend school, in fact racialises and marginalises them, is elegantly connected in Marcus’ book to gender discrimination and sexism. The role of women in mobile communities is generally very traditional and girls are taught from a young age to be good wives and mothers. Some change is of course making its way within these groups and many young people aspire to alter their destiny; not all of Marcus’ participants for instance were set on continuing their traditions and two girls even mentioned their desire to go to university.

The crucial point, however, is that sexism, like racism, can be covert (Benokraitis, 1997 and Nieto-Gomez, 1997 in Marcus: 184) and, more crucially, as black feminist bell hooks (2015, p.5 in Marcus, p. 184) contends, not all women perceive sexism as an act of oppression and discrimination. Many Traveller and Gypsy girls see their families as providing a haven of security and safety, comfort and protection, even though the cost of such a safe harbour is their subordination to fathers, brothers and uncles. When I ran some workshops for the young Irish Traveller girls in a permanent site in the south of England with a theatre company engaging in community activities, I was struck by the frequency of phone calls to the young girls’ mobiles by their fathers. The fact that we were running the workshop during the homework time and in the council space on the Travellers’ site with the authorisation of the families and the liaison personnel clearly was not enough for those men who apparently persisted on controlling their daughters whilst they were in contact with country people, and engaged in their activities. Those intrinsically territorial phone calls were meant to remind the girls where they belonged.

The value of Marcus’ book therefore is the adoption of a black feminist intersectional framework that explores the complex relations between identity, power, gender, ethnicity, class and race and analytically traces the discrimination and subordination of which Traveller and Gypsy girls are victim at school, where they are forced to learn subjects not tailored to their interests, and at home and in their communities, where ‘hegemonic inequalities’ (p. x) dominate. Marcus recognises the complexity and usefulness of intersectionality as a conceptual paradigm that allows for particular ‘analytic sensibility’ (Cho et al., 2013: 795 in Marcus, p. 112). The choice of this approach is core to and one of the merits of her book. In her words, intersectionality ‘allows us to see women in their particular context, without minimizing the effects of differences between different forms of subjugations or concealing one form in another. Rather, each form of oppression informs the other’ (p. 113). Marcus underlines that it is not only women of colour who suffer discrimination. Gypsies and Travellers are white Scottish, Welsh, Irish or English yet they are marginalised due to their nomadic habits, even though they are not the only itinerant

groups that exist (Marcus, p. 7). Whiteness 'should be problematised' (Marcus, p. 115) and always recognised as a socially constructed concept. There are degrees within whiteness and together with working class people, mobile groups are at the low and underprivileged end of the spectrum. 'Whiteness is not a race' (Marcus, p. 115) nor is it an ethnicity - even though GRT are legally recognised as such. One of the other pluses of intersectionality is that it identifies 'within group diversity' (Hancock, 2007:75 in Marcus, p. 115). Girls are seen and see themselves differently even within their community depending on whether they live or whether they are in a transient or permanent living arrangement, whether they occupy 'brick and mortar' homes (as Travellers call them) or trailers. Once again, my own work supports Marcus' findings and reveals strong analogies between Scottish and English Travellers and Gypsies. For instance, in my research I found that GRT residing in the permanent side of a Council encampment developed a discriminatory attitude toward those Travellers who were occupying the transit section of the site. Intersectionality, therefore, even allows us to recognise the discrimination within a group.

The girls in Marcus' book suffer not only from the racism towards itinerant communities at school, but also from sexism at home. Islay, May, Dana, Sky, Iona, Fara, and the others are twice victimised due to two separate discriminatory ideologies: one bred within their own community, the other outside it, in that society with which they are forced to enter in contact; they are relegated to the role of subordinate in two different social spheres, the public one of school and the private one of their homes.

Marcus' study of Travellers and Gypsies therefore proposes a useful integrated vision of their double discrimination. At school, where they are victim of bullying by other students and not protected by their teachers, where their gender identity is threatened by a curriculum that overlooks their future practical needs as women, where they are forced to learn in a context that totally ignores their history and tradition and in a closed space they are not familiar with, where there is no peer pressure so typical at that age, simply because these girls are isolated even in school, immersed in a sea of very different other students. At home, where they are torn between the security provided by their fathers and the oppression that brings along, where they are constrained by the code of honour that limits their choices and inscribes them in a world that is not in sync with modern times, where their gender identity is therefore split between who they are in their home and who they are viewed from the outside or could become in the wide world. Only a feminist intersectional approach can capture all these contradictions that exist between the Travellers and Gypsies and the settled society but also persist within these traditionally nomadic groups

One last point to comment upon concerns the researcher's positionality. Marcus chooses a black feminist intersectional perspective not solely on academic grounds but also because she is a woman of Indian heritage and a third generation Singaporean. Being part of a diaspora and having a diverse background makes her particularly sensitive to issues of discrimination and segregated identity as is the case with Gypsy and Traveller girls. Despite receiving a good formal education and belonging to an ethnic group that values learning very highly, she was able to empathise closely with her participants and their experience of often unconscious gender discrimination and marginalisation. She reports how her interviewees perceived her as a woman not entirely siding with mainstream ethics because of her skin colour and therefore opened up to her more easily. Similarly, as non-British myself, the same was also true in my study when the Irish Travellers I interviewed in England appreciated my slightly different accent, which like theirs, was not mainstream, and the surprise I showed when I spotted the statuettes of the many saints and Virgin Mary they kept in their homes, which are so popular in my original culture. Being a sensitive and participative researcher is a necessary condition in a study like Marcus' that explores a very special community and gives voice to a particularly vulnerable sub-group within it. Feminist sociolinguist Judith Baxter, author of *Speaking Out* (2006), in which she worked on silenced female voices, would have much appreciated this volume because it focuses on those female voices that have been long ignored and shut down. Yet, Marcus does not overemphasise the lack of agency of her girls; instead, she acknowledges their strategies and tactics for how they can make themselves heard, how they can express their aspirations and resourcefulness, how they construct a new identity in the context of the interview and the focus groups interactions in which they are involved.

Marcus' is an important study. I much enjoyed reading it and discovering that her data and findings highlight the similarities between the female Travellers and Gypsies she investigated in Scotland and those I observed in England. The lesson we learn from Marcus' study is about the subtleties and sophisticated forms that discrimination can take, from a racist othering by majoritarian society on the basis of the lifestyle some groups choose (or have imposed), to a sexist relegation of women by their own community triggered by the need to protect them from outsiders. Oppressed both at school and at home, Traveller and Gypsy girls are perhaps the ultimate victims but also, as the debate on victimhood has highlighted, the ultimate fighters.

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## Book Review

### Transtopia in the Sinophone Pacific

Chloe Yap Wen Ting <sup>1\*</sup>

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*Transtopia in the Sinophone Pacific* starts off with the deceptively simple premise of reorienting the way transness is understood beyond purely Western notions of transgender, but unfolds as a monumental and engaging work that challenges our historical understandings of gender and sexual variance. Following their award-winning monograph *After Eunuchs: Science, medicine, and the transformation of sex in modern China* (Chiang, 2018), Howard Chiang's latest work continues to bridge and set new benchmarks in the areas of transgender studies and Sinophone studies, and is an innovative and timely contribution to scholarly understandings of transness, queerness, and Chinese cultural history.

In *Transtopia*, Chiang proposes a new paradigm of queering history with geopolitics as its central analytical lens. In demonstrating the usefulness of such an approach 'to unpack the uneven history of LGBTQ experience around the world, especially when accounting for those communities that seemingly share a common "Chinese" linguistic or cultural descent' (p. 3), Chiang combs through archives, press reports, films, and records to offer detailed insights into sex transformation, queer inhumanity, cinematic castration, and civic change against the backdrop of the Sinophone Pacific that brings into focus cross-cultural politics in anti-transphobic inquiry.

Divided into two parts, Part 1 ("Two Manifestos") consists of two chapters that outline a postidentitarian approach that destabilises gay/lesbian and transgender subjectivities while also denaturalising both China-centrism and Western-centrism in queer theory and history. In Part 2 ("Three Methods"), readers witness these ideas in action through three methods – titrating, inscribing, and creolising – across three chapters which illustrate the uneven, non-hierarchical spectrum of transness across time and space. In the opening chapter, Chiang introduces 'transtopia' as a neologism that challenges a minoritarian view of transgender identity and queers transness by acknowledging the 'different scales of gender transgression that are not always recognisable through the Western notion of transgender' (p. 5). Conceived as the antidote to transphobia, transtopia historicises gender mutability across time and space to reframe transness 'in terms of a continuum model that accredits the diversity of queer experience, and situates the pertinence of this new vocabulary in relation to the practice of critical history' (p. 5). A transtopian approach to trans histories and narratives is thus less concerned with who qualifies as transgender, but instead shifts the focus to how people relate to one another through the notion of transgender.

Besides engaging with transgender history, the second major theme of the book involves moving away from 'China' towards the Sinophone as its site of articulation. Defined as 'a network of places of cultural production outside China and on the margins of China and Chineseness, where a historical process of heterogenising and localising of continental Chinese culture has been taking place for several centuries' (Shih, 2007, p. 4), the concept

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of the Sinophone emphasises the historically embedded and politically contested relationship between Sinophone communities and mainland China, mirroring the troubled relationships between Anglophone societies and England, Hispanophone societies and Spain, or Francophone societies with France. The book further explores the productive tensions between queer theory and Sinophone studies ‘as a coproduced vector through which to double question its own essentialism, defined around any geocultural and temporal unit’ (p. 93) in a compelling and comprehensive manifesto presented in Chapter 2 that considers queer indigeneity, postcolonial theory, and sound studies in relation to the Sinosphere.

One of the notable strengths of this book is its interdisciplinary approach in engaging transgender studies and queer Sinophone studies with area studies and medical humanities. For example, Chapter 1 covers the historical episodes of the ‘global Christines’ in the 1950s, following the media interest surrounding American transsexual icon Christine Jorgensen whereby Japan, Taiwan and Mexico also claimed their own ‘Christines’ who had ‘successfully’ undergone sex reassignment surgeries. Rather than framing any single event as the ‘yardstick’ or norm through which transness is produced or understood, Chiang situates their experiences along a transtopian continuum as inter-related but non-hierarchical. Chapter 3 provides a historiographical analysis of *renyao* (人妖, human prodigy) that maps ‘the fluidity of transness (transtopian continuum) onto the volatility of Chineseness (Sinophone historicism)’ (p. 98) through deep archival work, revealing evolving manifestations and representations of *renyao* from the late Qing period in mainland China to the Cold War era in Taiwan. Chapter 4 looks at the Chinese castrated body in Sinophone cinema as a productive site of Sinophone theorisation, addressing Sinophone studies’ oft critiqued ‘tendency to reify language- centrism at the exclusion of thinking in terms of embodiment or styles and its limited attention to mediation or mediality’ (p. 137) by exploring the entangled meanings of Sinophone eunuchism via ‘intercorporeal governance’ (p. 138). And finally, Chapter 5 traces the asymmetrical trajectories of transgender and queer activism in Hong Kong and Taiwan to showcase the contrasting effects of transgender as a category in relation to queer citizenship, exemplifying the ways in which ‘Sinophone communities such as Hong Kong and Taiwan articulate a vision of sexual politics that is grounded in both a demand of pluralist recognition and a shared legal “difference/distance” from mainland China’ (p. 206).

Taking the above examples together, this book undertakes several theoretical and methodological interventions that significantly contribute to studies of queerness, transness, and Chineseness. Transtopia as an antidote approach against transphobia deconstructs the cisgender-transgender divide and effectively ‘queers’ the borders of transness by charting transgender expressions and politics on a historical continuum. Moreover, even while the book highlights the necessity of debunking Western models of queerness, transtopia offers a vibrant conceptual framework that can be adopted by Western trans scholars to counter ongoing critiques of transgender studies, such as ‘trans studies is over’ (p. 208). Yet, with the rise of PRC imperialism in the twenty-first century, it is equally important to resist romanticising China and the non-West in an ‘us vs. them mentality’ (p. 74) but instead recognise the heterogeneity of queer and Chinese experiences, as shown in other recent works on queer Sinophone communities and contemporary queer Chinese identities such as John Wei’s *Queer Chinese cultures and mobilities: Kinship, migration, and middle classes* (Wei, 2020) and Hongwei Bao’s *Queer comrades: Gay identity and Tongzhi activism in postsocialist China* (Bao, 2018).

Overall, the bold propositions and innovative methods presented in *Transtopia* will expand existing dialogues and debates regarding trans experiences and histories in Sinitic-language societies worldwide. However, one obvious, albeit minor shortcoming is the lack of attention given to Sinophone societies outside the ‘Greater China’ framework encompassing mainland China, Hong Kong, and Taiwan. For example, a closer look into the colourful histories, cultures, and influences that make up Southeast Asian Sinophone communities such as those in Malaysia, Singapore, Indonesia, or Vietnam would likely yield important insights into the ways in which politics of gender and sexuality and politics of Chineseness are mutually imbricated. Nonetheless, this book is certainly an important text that will no doubt facilitate further interest in ‘minor-to-minor relations’ (p. 82) and encourage others to address these gaps, and will certainly appeal to scholars and students of gender and sexuality, queer Asian studies, and critical Chinese studies.

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